

Affymetrix to potential liability for damages, these actions, and any other similar legal actions against Affymetrix or its collaborative partners, could require Affymetrix or its collaborative partners to obtain a license in order to continue to manufacture, market or use the affected products and processes. While Affymetrix believes that the Hyseq complaints are without merit, Affymetrix may not prevail in these actions and Affymetrix or its collaborative partners may not prevail in any other related action. Moreover, in the event Affymetrix does not prevail in the Hyseq actions and Affymetrix, its partners or its customers are required to obtain a license to continue to manufacture, market or use the affected products and processes, Affymetrix, its partners or its customers may not be able to obtain such a license on commercially acceptable terms, if at all. Furthermore, Affymetrix has expended and is likely to continue to expend substantial financial and managerial resources in defending against the claims filed by Hyseq.

On August 18, 1998, Affymetrix filed a lawsuit in United States District Court for the Northern District of California against Hyseq alleging infringement of United States Patent Nos. 5,795,716, or the '716 Patent, and 5,744,305, or the '305 Patent. On September 1, 1998, Affymetrix added its United States Patent No. 5,800,992, or the '992 Patent, to the complaint of infringement against Hyseq. On November 23, 1998, Hyseq filed an answer to Affymetrix' complaint, alleging that Affymetrix' three asserted patents are invalid. On January 25, 2001, the United States District Court for the Northern District of California issued a claims construction order interpreting various terms of the '716, '305 and '992 Patents. On January 30, 2001, the Board of Patent Appeals and Interferences of the United States Patent and Trademark Office issued to Affymetrix a Notice Declaring Interference and has ordered the commencement of an interference proceeding between Affymetrix and Hyseq involving certain claims of Affymetrix' '716 Patent, and certain claims of Hyseq's patent application. No trial dates have been set in these cases.

INCYTE GENOMICS AND SYNTENI LITIGATION AND PROCEEDINGS

On January 6, 1998, Affymetrix filed a patent infringement action in the United States District Court for the District of Delaware alleging that certain of Incyte Genomics, Inc.'s ("Incyte") and Synteni, Inc.'s ("Synteni") products infringe United States Patent No. 5,445,934, or the '934 Patent. On September 1, 1998, Affymetrix filed a complaint against Incyte and Synteni in United States District Court for the District of Delaware alleging infringement of the '305 Patent and the '992 Patent. These actions were transferred to the United States District Court for the Northern District of California on November 18, 1998. The actions seek to enjoin commercial activities of Incyte and Synteni relating to Affymetrix' patents and, in regard to the '992 Patent, sought a preliminary injunction. Incyte and Synteni moved for summary judgment that certain claims of the '992 Patent were invalid. On May 4, 1999, the court denied Affymetrix' motion for preliminary injunction and denied Incyte and Synteni's motion for summary judgment.

On April 17, 1998, Incyte filed a response and counterclaim, asserting that the '934 Patent is invalid and not infringed. On April 17, 1998, Incyte also filed a counterclaim alleging that a patent license agreement Affymetrix entered into in December 1997 with Molecular Dynamics interfered with an agreement between Incyte and Molecular Dynamics. In the counterclaim, Incyte alleges that the terms of Affymetrix' patent license to Molecular Dynamics prevented Molecular Dynamics from meeting its obligations to Incyte. Incyte seeks damages from Affymetrix. On September 21, 1998, Incyte

SIGNATURES

Pursuant to the requirements of Section 13 of 15(d) of the Securities Exchange Act of 1934, the registrant has caused this Report to be signed on its behalf by the undersigned, thereunto duly authorized.

AFFYMETRIX, INC.
(Registrant)

March 30, 2001

By */s/ STEPHEN P.A. FODOR, PH.D.*

Stephen P.A. Fodor, Ph.D.
*CHAIRMAN OF THE BOARD AND
CHIEF EXECUTIVE OFFICER*

March 30, 2001 By

/s/ EDWARD M. HURWITZ

Edward M. Hurwitz
*SENIOR VICE PRESIDENT AND CHIEF
FINANCIAL OFFICER (PRINCIPAL
FINANCIAL AND ACCOUNTING
OFFICER)*

POWER OF ATTORNEY

KNOW ALL PERSONS BY THESE PRESENTS, that each person whose signature appears below constitutes and appoints Stephen P.A. Fodor, Ph.D. and Edward M. Hurwitz, or either of them, each with the power of substitution, his attorney-in-fact, to sign any amendments to this Form 10-K (including post-effective amendments), and to file the same, with exhibits thereto and other documents in connection therewith, with the Securities and Exchange Commission, hereby ratifying and confirming all that each of said attorneys-in-fact, or his substitute or substitutes, may do or cause to be done by virtue hereof.

Pursuant to the requirements of the Securities Exchange Act of 1934, this report has been signed below by the following persons on behalf of the registrant and in the capacities and on the dates indicated.

	SIGNATURE	TITLE	DATE
By	<i>/s/ STEPHEN P.A. FODOR, PH.D.</i> Stephen P.A. Fodor, Ph.D.	Chairman of the Board and Chief Executive Officer (Principal Executive Officer)	March 30, 2001
By	<i>/s/ EDWARD M. HURWITZ</i> Edward M. Hurwitz	Senior Vice President and (Principal Financial and Accounting Officer) Chief Financial Officer	March 30, 2001
By	<i>/s/ JOHN D. DIEKMAN, PH.D.</i> John D. Diekman, Ph.D.	Director	March 30, 2001

EXHIBIT E

CLOSED

**U.S. District Court
District of Delaware (Wilmington)
CIVIL DOCKET FOR CASE #: 1:98-cv-00520-GMS**

Affymetric Inc. v. Synteni Inc., et al
Assigned to: Judge Gregory M. Sleet
Demand: \$0
Case in other court: USDC/DE, CA98-6 JJF
Cause: 35:271 Patent Infringement

Date Filed: 09/01/1998
Jury Demand: Plaintiff
Nature of Suit: 830 Patent
Jurisdiction: Federal Question

Plaintiff

Affymetric Inc.
a California corporation

represented by **Stuart B. Young**
Young, Conaway, Stargatt & Taylor
The Brandywine Building
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P.O. Box 391
Wilmington, DE 19899-0391
(302) 571-6600
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Synteni Inc.
a Delaware corporation

represented by **William J. Marsden, Jr.**
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919 N. Market Street, Suite 1100
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Email: marsden@fr.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Defendant

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a Delaware corporation

represented by **William J. Marsden, Jr.**
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant

Synteni Inc.

represented by **William J. Marsden, Jr.**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Counter Claimant**Incyte Pharmaceuticals, Inc.**

represented by **William J. Marsden, Jr.**
 (See above for address)
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V.

Counter Defendant**Affymetric Inc.**

represented by **Stuart B. Young**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
09/01/1998	1	COMPLAINT filed; Mag: consent notice to pltf. FILING FEE \$ 150.00 RECEIPT # 122715 (dab) (Entered: 09/03/1998)
09/01/1998		DEMAND for jury trial by Affymetric Inc. (dab) (Entered: 09/03/1998)
09/01/1998		SUMMONS(ES) issued for Synteni Inc., Incyte Pharmaceutica (dab) (Entered: 09/03/1998)
09/01/1998	2	MOTION by Affymetric Inc. with Proposed Order for Preliminary Injunction (exit duty judge RRM) (dab) (Entered: 09/03/1998)
09/01/1998	3	Brief by Affymetric Inc. in support of [2-1] motion for Preliminary Injunction (dab) (Entered: 09/03/1998)
09/01/1998	4	Appendix to Brief Filed by Affymetric Inc. in support of Motion for Preliminary Injunction (volume 1 or 3) (dab) (Entered: 09/03/1998)
09/01/1998	5	Appendix to Brief Filed by Affymetric Inc. in support of Motion for Preliminary Injunction (volume 2 of 3) (dab) (Entered: 09/03/1998)
09/01/1998	6	Appendix to Brief Filed by Affymetric Inc. in support of Motion for Preliminary Injunction (volume 3 of 3) (dab) (Entered: 09/03/1998)
09/01/1998	7	MOTION by Affymetric Inc. for Expedited Hearing (exit duty judge RRM) (dab) (Entered: 09/03/1998)
09/01/1998	8	MOTION by Affymetric Inc. with Proposed Order for William L. Anthony, Esq., Shelley J. Sandusky, Esq., Elizabeth A. Howard, Esq. and Craig R. Kaufman, Esq. to Appear Pro Hac Vice (dab) (Entered: 09/03/1998)
09/01/1998	9	Report to Commissioner of Patents and Trademarks. Exit original. (dab) (Entered: 09/03/1998)
09/02/1998	10	RETURN OF SERVICE executed as to Synteni Inc. 9/1/98 Answer due on 9/21/98 for Synteni Inc. (dab) (Entered: 09/04/1998)

09/02/1998	11	RETURN OF SERVICE executed as to Incyte Pharmaceutica 9/1/98 Answer due on 9/21/98 for Incyte Pharmaceutica (dab) (Entered: 09/04/1998)
09/03/1998	15	Letter to the Court dated 9/3/98 by William J. Marsden, Jr., Esq. RE: In response to Pltf's motions for preliminary injunction and expedited hearing. (sm) (Entered: 09/10/1998)
09/09/1998	12	CASE assigned to Judge Joseph J. Farnan Jr. . Notice to all parties. (ntl) (Entered: 09/09/1998)
09/09/1998	13	Letter dated 9/1/98 from Stuart B. Young, Esq. to Judge Farnan re courtesy copies of complaint and various documents (ds) (Entered: 09/09/1998)
09/09/1998	14	Letter dated 9/4/98 from Stuart B. Young to Judge Farnan responding to defendant's letter motion requesting a modification of the briefing schedule re: motion for preliminary injunction (ds) Modified on 09/09/1998 (Entered: 09/09/1998)
09/17/1998	16	MOTION by Synteni Inc., Incyte Pharmaceutica to Transfer Case to the Northern District of California Answer Brief due 10/1/98 re: [16-1] motion (sm) (Entered: 09/18/1998)
09/17/1998	17	MEMORANDUM IN SUPPORT Filed by Synteni Inc., Incyte Pharmaceutica [16-1] motion to Transfer Case to the Northern District of California (sm) (Entered: 09/18/1998)
09/17/1998	18	MOTION by Synteni Inc., Incyte Pharmaceutica with Proposed Order for Expedited Consideration of Motion to Transfer Venue re: [18-1] motion (sm) (Entered: 09/18/1998)
09/18/1998	19	CERTIFICATE OF SERVICE by Affymetric Inc. RE: Pltf's 1st notice of taking deposition of dfts. pursuant to F.R.C.P. 30(b)(6) & Pltf's 1st request for production of documents and things. (sm) (Entered: 09/22/1998)
09/18/1998	20	OPPOSITION Filed by Affymetric Inc. [18-1] motion for Expedited Consideration of Motion to Transfer Venue - Reply Brief due 9/25/98 (sm) (Entered: 09/22/1998)
09/18/1998	21	Declaration of Elizabeth A. Howard in Support of Pltf's Opposition to Dft's Motion For Consideration Of Motion To Transfer Venue. (sm) (Entered: 09/22/1998)
09/21/1998	22	Letter to the Clerk dated 9/21/98 by Beverly A. Parnell RE: Enclosed original declaration of Elizabeth A. Howard to replace the copy filed on 9/18/98. (sm) (Entered: 09/22/1998)
09/21/1998	23	ANSWER to complaint and COUNTERCLAIM by Synteni Inc., Incyte Pharmaceutical (Attorney, William J. Marsden Jr.) against Affymetric Inc. (sm) (Entered: 09/29/1998)
09/22/1998	24	Letter to the Court dated 9/22/98 by William J. Marsden, Jr., Esq. RE:

		Request telephone conference to set up briefing schedule on pltf's motion for preliminary injunction and ruling on dft's pending motion to transfer. (sm) (Entered: 09/29/1998)
09/23/1998	25	Letter to the Court dated 9/22/98 by William L. Anthony, Jr., Esq. RE: In response to William J. Marsden, Jr's letter of 9/21/98. (sm) (Entered: 09/29/1998)
09/24/1998	26	Letter to the Clerk of the Court dated 9/24/98 by William J. Marsden, Jr., Esq. RE: Attached original declaration of Roy A. Whitfield in support of dft's motion to transfer previously filed on 9/17/98. (sm) (Entered: 09/29/1998)
09/24/1998	27	CERTIFICATE OF SERVICE by Synteni Inc., Incyte Pharmaceutical RE: Dft's 1st set of document requests (1-60). (sm) (Entered: 09/29/1998)
09/25/1998	28	REPLY MEMORANDUM Filed by Synteni Inc., Incyte Pharmaceutica [18-1] motion for Expedited Consideration of Motion to Transfer Venue (sm) (Entered: 09/29/1998)
09/28/1998	29	CASE reassigned to Judge Gregory M. Sleet. Notice to all parties. (ssb) (Entered: 09/29/1998)
09/28/1998	30	MOTION by Synteni Inc., Incyte Pharmaceutica with Proposed Order for Jennifer A. Tipsord, Esq. to Appear Pro Hac Vice re: [30-1] motion (sm) (Entered: 10/02/1998)
09/28/1998	31	Letter to the Court dated 9/28/98 by William J. Marsden, Jr., Esq. RE: Attached courtesy copy of Ms. Tipsord's motion for pro hac vice. (sm) (Entered: 10/02/1998)
09/28/1998	32	MOTION by Synteni Inc., Incyte Pharmaceutica with Proposed Order for N. Thane Bauz, Esq. to Appear Pro Hac Vice re: [32-1] motion (sm) (Entered: 10/02/1998)
09/28/1998	33	MOTION by Synteni Inc., Incyte Pharmaceutica with Proposed Order for Sharmini N. Green, Esq. to Appear Pro Hac Vice re: [33-1] motion (sm) (Entered: 10/02/1998)
09/29/1998	34	MOTION by Synteni Inc., Incyte Pharmaceutica with Proposed Order for Teresa M. Corbin, Esq. to Appear Pro Hac Vice re: [34-1] motion (sm) (Entered: 10/02/1998)
09/29/1998	35	MOTION by Synteni Inc., Incyte Pharmaceutica with Proposed Order for V. Randall Gard, Esq. to Appear Pro Hac Vice re: [35-1] motion (sm) (Entered: 10/02/1998)
10/01/1998	36	MEMORANDUM OF POINTS AND AUTHORITIES IN OPPOSITION Filed by Affymetric Inc. [16-1] motion to Transfer Case to the Northern District of California - Reply Brief due 10/8/98 (SEALED) (sm) (Entered: 10/02/1998)
10/01/1998	37	Declaration of William J. Dower In Support of Pltf's Opposition to Dft's Motion To Transfer Venue (sm) (Entered: 10/02/1998)

10/01/1998	38	Declaration of Dennis W. Solas In Support of Pltf's Opposition to Dft's Motion To Transfer Venue (sm) (Entered: 10/02/1998)
10/01/1998	39	Declaration of Craig B. Kaufman In Support of Pltf's Opposition to Dft's Motion To Transfer Venue (SEALED) (sm) (Entered: 10/02/1998)
10/05/1998	40	Letter dated 10/5/98 from Stuart B. Young to Judge Sleet re briefing schedule on motion for preliminary injunction & proposed scheduling deadlines (ds) (Entered: 10/06/1998)
10/07/1998	41	CERTIFICATE OF SERVICE by Affymetric Inc. re Affymetrix' resps. to defts' 1st set of doc. reqsts. (nos. 1-60) (ds) (Entered: 10/13/1998)
10/07/1998	42	CERTIFICATE OF SERVICE by Affymetric Inc. re subpoena upon the Leland Stanford Junior University (ds) (Entered: 10/13/1998)
10/07/1998	43	Letter dtd. 10/7/98 from Stuart B. Young, Esq. to Clerk re enclosing original declaration of William J. Dower to replace the faxed copy prev. filed (ds) (Entered: 10/13/1998)
10/08/1998		So Ordered granting [35-1] motion for V. Randall Gard, Esq. to Appear Pro Hac Vice, granting [34-1] motion for Teresa M. Corbin, Esq. to Appear Pro Hac Vice, granting [33-1] motion for Sharmini N. Green, Esq. to Appear Pro Hac Vice, granting [32-1] motion for N. Thane Bauz, Esq. to Appear Pro Hac Vice, granting [30-1] motion for Jennifer A. Tipsord, Esq. to Appear Pro Hac Vice (signed by Judge Gregory M. Sleet) Notice to all parties. (ds) (Entered: 10/13/1998)
10/08/1998	44	Letter dtd. 10/8/98 from William J. Marsden, Jr. to Judge Sleet responding to the points raised by plaintiff in its 10/5/98 letter (ds) Modified on 10/13/1998 (Entered: 10/13/1998)
10/08/1998	45	Reply Memorandum in support Filed by Synteni Inc., Incyte Pharmaceutica [16-1] motion to Transfer Case to the Northern District of California (SEALED) (ds) (Entered: 10/13/1998)
10/09/1998	46	Letter dtd. 10/9/98 from William J. Marsden, Jr., Esq. to Clerk re enclosing for substitution an original of page 5 to the 10/8/98 letter (ds) (Entered: 10/13/1998)
10/13/1998	47	ANSWER by Affymetric Inc. to [23-2] counter claim (ds) (Entered: 10/14/1998)
10/16/1998	48	STIPULATION with proposed Order to File Pltf's Oppositon to Defts' Motion to Transfer, Defts' Reply in Supp. of its Motion to Transfer & Deposition Transcript Excerpts Under Seal (ljj) (Entered: 10/16/1998)
10/16/1998	64	Letter from Judge Sleet to counsel re: Motion to Transfer Venue (gp) (Entered: 11/05/1998)
10/20/1998	49	NOTICE OF SERVICE by Synteni Inc., Incyte Pharmaceuticals; Re: served dfts' resps. to pltf Affymetrix's 1st req. for prod. of docs (ljj) (Entered: 10/21/1998)
10/22/1998	50	CERTIFICATE OF SERVICE by Affymetric Inc. of Notices of

		Deposition of Randy Scott & Roy A. Whitfield, Responses & Objs. to subpoenas of Jerry Hausman & David Lockhart. (maw) (Entered: 10/26/1998)
10/27/1998	52	NOTICE by Synteni Inc., Incyte Pharmaceutica to take deposition of person or persons designated by Affymax Research Institute as most knowledgeable regarding the subject areas on 10/27-10/28/98 at 9:00 a.m. (ljj) (Entered: 10/28/1998)
10/27/1998	53	NOTICE OF DEPOSITION by Synteni Inc., Incyte Pharmaceutica to take deposition of Ron Barrett on 10/26/98 at 9:0 on (ljj) (Entered: 10/28/1998)
10/27/1998	54	NOTICE OF DEPOSITION by Synteni Inc., Incyte Pharmaceutica to take deposition of William J. Dower on 10/22/98 at 9:00 a.m. (ljj) (Entered: 10/28/1998)
10/27/1998	55	NOTICE OF DEPOSITION by Synteni Inc., Incyte Pharmaceutica to take deposition of Stephen Fodor on 10/26/98 at 9:00 a.m. (ljj) (Entered: 10/28/1998)
10/27/1998	56	NOTICE OF DEPOSITION by Synteni Inc., Incyte Pharmaceutica to take deposition of Prof. Jerry A. Hausman on 10/23/98 at 9:00 a.m. (ljj) (Entered: 10/28/1998)
10/27/1998	57	NOTICE OF DEPOSITION by Synteni Inc., Incyte Pharmaceutica to take deposition of Edward Hurwitz on 10/21/98 at 9:00 a.m. (ljj) (Entered: 10/28/1998)
10/27/1998	58	NOTICE OF DEPOSITION by Synteni Inc., Incyte Pharmaceutica to take deposition of Dr. David J. Lockhart on 10/27/98 at 9:00 a.m. (ljj) (Entered: 10/28/1998)
10/27/1998	59	NOTICE OF DEPOSITION by Synteni Inc., Incyte Pharmaceutica to take deposition of Gordon Ringold on 10/23/98 at 9:00 a.m. (ljj) (Entered: 10/28/1998)
10/27/1998	60	NOTICE OF DEPOSITION by Synteni Inc., Incyte Pharmaceutica to take deposition of Dr. Mark Schena on 10/28/98 at 9:00 (ljj) (Entered: 10/28/1998)
10/27/1998	61	NOTICE OF DEPOSITION by Synteni Inc., Incyte Pharmaceutica to take deposition of Sue Siegel on 10/20/98 at 9:00 a.m. (ljj) (Entered: 10/28/1998)
10/27/1998	62	NOTICE OF DEPOSITION by Synteni Inc., Incyte Pharmaceutica to take deposition of Dennis W. Solas on 10/23/98 at 9:00 a.m. (ljj) (Entered: 10/28/1998)
10/27/1998		So Ordered granting [48-1] stipulation (signed by Judge Gregory M. Sleet) Notice to all parties. (gp) (Entered: 11/05/1998)
11/02/1998	63	NOTICE by Synteni Inc., Incyte Pharmaceutica to take deposition of Dr. Mark Schena on 11/13/98 at 9:00 (gp) (Entered: 11/04/1998)

11/03/1998	65	MOTION by Synteni Inc., Incyte Pharmaceutica with Proposed Order to Compel re: [65-1] motion (gp) (Entered: 11/05/1998)
11/03/1998	66	Opening Brief Filed by Synteni Inc., Incyte Pharmaceutica [65-1] motion to Compel - Answer Brief due 11/17/98 (gp) (Entered: 11/05/1998)
11/03/1998	67	Declaration of Jennifer A. Tipsord in support of Motion to Compel (gp) (Entered: 11/05/1998)
11/06/1998	68	MOTION by Synteni Inc., Incyte Pharmaceutica with Proposed Order y to Compel Answer Brief due 11/20/98 re: [68-1] motion (gp) (Entered: 11/09/1998)
11/09/1998	69	Opening Brief Filed by Synteni Inc., Incyte Pharmaceutica [68-1] motion to Compel - Answer Brief due 11/23/98 (gp) (Entered: 11/09/1998)
11/09/1998	70	Letter from Joan Kluger re: defts. brief in support of motion to compel requesting clerk to substitute attached page 22 (clerk made substitution) (gp) (Entered: 11/10/1998)
11/12/1998	71	Letter from Stuart Young, Esq. re: scheduling preliminary injunction motion (gp) (Entered: 11/12/1998)
11/17/1998	74	Letter from William Marsden, Esq., dated 11/17/98 in response to letter from Stuart Young to the Court re: pltf. motion for preliminary injunction (gp) (Entered: 11/18/1998)
11/17/1998	75	Answer (Consolidated Opposition to deft.Motion to Compel) Brief Filed by Affymetric Inc. (gp) (Entered: 11/18/1998)
11/17/1998	76	Declaration of Elizabeth Howard in support of Affymetrix consolidated opposition to defts.motion to compel (gp) (Entered: 11/18/1998)
11/17/1998	77	Declaration of Vern Norviel in support of Affymetrix consolidated opposition to defts.motion to compel (gp) (Entered: 11/18/1998)
11/17/1998	78	CERTIFICATE OF SERVICE by Affymetric Inc.of notice of deposition, subpoena, copy of declaration of service by hand on Teresa M. Corbin, Esq., (gp) (Entered: 11/18/1998)
11/18/1998	72	OPINION (signed by Judge Gregory M. Sleet) copies to: cnsl. (gp) (Entered: 11/18/1998)
11/18/1998	73	ORDER granting [16-1] motion to Transfer Case to the Northern District of California (signed by Judge Gregory M. Sleet) copies to: cnsl. (gp) (Entered: 11/18/1998)
11/18/1998		Case closed (gp) (Entered: 11/18/1998)
11/23/1998	79	Letter from Stuart Young, Esquire that on behalf of plaintiff they waive the waiting period for transferring court records to the U.S. District Court Nothern District of CA and requesting that records be sent by federal express (gp) Modified on 11/23/1998 (Entered: 11/23/1998)
11/23/1998		Interdistrict transfer to District of Northern District of California (gp)

		(Entered: 11/23/1998)
11/23/1998		Final Report to Commissioner of Patents and Trademarks. Exit copy. (gp) (Entered: 08/04/1999)
11/27/1998	80	NOTICE of receipt of record from Northern District of CA (CA. Case NO. 98-4508) (gp) (Entered: 11/30/1998)

PACER Service Center			
Transaction Receipt			
02/22/2005 21:54:16			
PACER Login:	ke1070	Client Code:	41250-0001
Description:	Docket Report	Search Criteria:	1:98-cv-00520-GMS Start date: 1/1/1970 End date: 2/22/2005
Billable Pages:	4	Cost:	0.32

EXHIBIT F

US District Court Civil Docket

**U.S. District - California Northern
(San Francisco)**

3:98cv4507

Affymetrix, Inc v. Synteni, Inc, et al

This case was retrieved from the court on Monday, December 13, 1999

Date Filed: 11/24/1998	Class Code: CSMGMT CONSOL A0279
Assigned To: Judge William H Alsup	Closed: no
Referred To:	Statute: 15:44
Nature of suit: Patent (830)	Jury Demand:
Cause: Trademark Infringement	Demand Amount: \$0
Lead Docket: 98-CV-3192	NOS Description: Patent
Other Docket: Dkt # in USDC Delaware : is 98-6	
Jurisdiction: Federal Question	

Litigants

Affymetrix, Inc, A California Corporation
Plaintiff

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Eugene F Lynch, Judge
Special Master

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Date	#	Proceeding Text
11/24/1998	1	ORIGINAL file, certified copy of transfer order and docket sheet received from USDC Delaware, Wilmington (no process). Fee status tran [3:98-cv-04507] (ab) [Entry date 11/30/98] [3:98cv4507]
11/24/1998	2	ORDER RE COURT PROCEDURE and SCHEDULE (ADR Multi-Option) by Magistrate Judge James Larson : Proof of service to be filed by 1/8/99 ; counsels' case management statement to be filed by 3/14/99 ; initial case management conference will be held 10:30 3/24/99 . (cc: all counsel) [3:98-cv-04507] (ab) [Entry date 11/30/98] [3:98cv4507]
11/30/1998	3	CLERK'S NOTICE re transfer case [3:98-cv-04507] (ab) [Entry date 11/30/98] [3:98cv4507]
11/30/1998	--	REPORT on the filing or determination of an action regarding Trademark (cc: form mailed to register) [3:98-cv-04507] (ab) [Entry date 11/30/98] [3:98cv4507]
12/14/1998	4	ORDER by Judge Fern M. Smith relating cases; 3:98-cv-3192 with member cases 3:98-cv-4507, 4:98-cv-4508, Case reassigned to Judge Fern M. Smith (Date Entered: 12/14/98) (cc: all counsel) [3:98-cv-04507] (ab) [Entry date 12/14/98] [3:98cv4507]
12/14/1998	--	Docket Modification (Administrative) to removing case from the Multi-Option ADR Pilot (ADR LR 3) upon reassignment. [3:98-cv-04507] (ab) [Entry date 12/14/98] [3:98cv4507]
12/17/1998	5	CLERK'S NOTICE: Case Management Conference set for 8:30 4/2/99. Counsel shall file a Case Management Statement no later than ten (10) days prior to the Case Management Conference. [3:98-cv-04507] (lcc) [Entry date 12/18/98] [3:98cv4507]
01/07/1999	6	COPY OF LETTER dated 1/5/99 from Teresa M. Corbin to William L. Anthony, Jr., Esq. regarding assignment of cases to Mag. Judge Maria-Elena James for discovery purposes. [3:98-cv-04507] (lcc) [Entry date 01/13/99] [3:98cv4507]
03/25/1999	7	ORDER by Judge Fern M. Smith: The Court hereby APPOINTS The Honorable Eugene F. Lynch as Special

Master in this case for purposes of all discovery matters. Unless and until further order of this Court, all discovery matters in this case shall be submitted to and resolved by the Special Master. The compensation to be allowed the Special Master shall be shared equally as between the plaintiff, on the one hand, and the defendants, on the other, unless otherwise ordered by the Special Master. (Date Entered: 3/26/99) (cc: all counsel) [3:98-cv-04507] (lcc) [Entry date 03/26/99] [3:98cv4507]

03/26/1999 8 JOINT CASE MANAGEMENT STATEMENT and PROPOSED ORDER filed. [3:98-cv-04507] (lcc) [Entry date 03/29/99] [3:98cv4507]

03/29/1999 9 CLERK'S NOTICE: Case Management Conference CONTINUED to 8:30 4/8/99. Not less than ten (10) days before the Conference, counsel shall file, jointly if possible, a Case Management Conference Statement. [3:98-cv-04507] (lcc) [Entry date 03/30/99] [3:98cv4507]

03/30/1999 10 NOTICE by Plaintiff Affymetrix, Inc. of Entry of order [7-2]. [3:98-cv-04507] (lcc) [Entry date 03/31/99] [3:98cv4507]

04/02/1999 11 PROOF OF SERVICE by Plaintiff Affymetrix, Inc. of joint statement case mangement [8-1] [3:98-cv-04507] (lcc) [Entry date 04/06/99] [3:98cv4507]

04/08/1999 12 MINUTES: (C/R - none) INITIAL CASE MANAGEMENT CONFERENCE HELD. Case continued to 11/18/99 at 2:30 p.m.; Pre-trial Conference will be held 6/19/00 at 2:30 p.m.; Jury Trial set for 7/10/00 at 8:30 a.m. Set for 16 days. Court has consolidated cases 3:98-cv-4507 with member cases 3:98-cv-4508. All future filings shall be in 3:98-cv-4507. Both cases are REFERRED to Judge Eugene Lynch for discovery. Plaintiffs must name any new parties by 6/1/99. Parties may stipulate to bifurcate the damages for trial. [3:98-cv-04507] (lcc) [Entry date 04/09/99] [3:98cv4507]

04/13/1999 -- RECEIVED [Proposed] Case Management Order [3:98-cv-04507] (lcc) [Entry date 04/13/99] [3:98cv4507]

04/16/1999 13 CASE MANAGEMENT ORDER by Judge Fern M. Smith: Discovery cutoff 1/14/00; Pre-trial conference will be held 2:30 6/19/00; Trial set for 8:30 7/10/00; Est.trial days: 7; see Order for further details. (cc: all counsel) [3:98-cv-04507] (slh) [Entry date 04/23/99] [3:98cv4507]

04/21/1999 14 EX-PARTE APPLICATION "FILED UNDER SEAL" before Judge Fern M. Smith by defendant in 3:98-cv-04507 for leave to file surreply in opposition to motion for preliminary injunction [3:98-cv-04507] (scu) [Entry date 04/23/99] [3:98cv4507]

04/21/1999 15 DECLARATION by Terersa M. Corbin on behalf of defendant in 3:98-cv-04507 in support of motion for leave to file surreply in opposition to motion for preliminary injunction [14-1] [3:98-cv-04507] (slh) [Entry date 04/23/99] [3:98cv4507]

04/21/1999 16 CERTIFICATE OF SERVICE by defendant in 3:98-cv-04507 of motion for leave to file surreply in opposition to motion for preliminary injunction [14-1], declaration [15-1] [3:98-cv-04507] (slh) [Entry date 04/23/99] [3:98cv4507]

04/23/1999 17 NOTICE by Plaintiff Affymetrix, Inc. in 3:98-cv-04507 of entry of Case Management Order [3:98-cv-04507] (mmr) [Entry date 04/26/99] [3:98cv4507]

04/23/1999 -- RECEIVED Proposed Order (defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507) allowing audio visual equipment into the courtroom. [3:98-cv-04507] (mmr) [Entry date 04/26/99] [3:98cv4507]

04/23/1999 18 PROOF OF SERVICE by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 of order received [0-0] [3:98-cv-04507] (mmr) [Entry date 04/26/99] [3:98cv4507]

04/23/1999 19 PROOF OF SERVICE by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 [3:98-cv-04507] (mmr) [Entry date 04/26/99] [3:98cv4507].

04/23/1999 20 AMENDED PROOF OF SERVICE by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 of [3:98-cv-04507] (mmr) [Entry date 04/26/99] [3:98cv4507]

04/23/1999 21 RESPONSE by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 objection to evidence [3:98-cv-04507] (mmr) [Entry date 04/26/99] [3:98cv4507]

04/23/1999 22 DECLARATION by V. Randall Gard on behalf of defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 in support of response [21-1] [3:98-cv-04507] (mmr) [Entry date 04/26/99] [3:98cv4507]

04/23/1999 23 DECLARATION by Kenneth D. Konrad on behalf of defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 [3:98-cv-04507] (mmr) [Entry date 04/26/99] [3:98cv4507]

04/26/1999 24 OBJECTIONS by Plaintiff Affymetrix, Inc. in 3:98-cv-04507 to Dr. Pirrung's participation in the tutorial [3:98-cv-04507] (mmr) [Entry date 04/28/99] [3:98cv4507]

04/26/1999 27 APPLICATION by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 for use of audio visual equipment in Judge Smith's Courtroom [3:98-cv-04507] (mmr) [Entry date 04/28/99] [3:98cv4507]

04/26/1999 28 ORDER by Judge Fern M. Smith allowing use of viseo equipment in the courtroom (Date Entered: 4/28/99) (cc: all counsel) [3:98-cv-04507] (mmr) [Entry date 04/28/99] [3:98cv4507]

04/27/1999 25 MEMORANDUM by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 in opposition to objection [24-1] [3:98-cv-04507] (mmr) [Entry date 04/28/99] [3:98cv4507]

04/27/1999 26 PROOF OF SERVICE by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 of opposition memorandum [25-1] [3:98-cv-04507] (mmr) [Entry date 04/28/99] [3:98cv4507]

04/30/1999 29 DECLARATION by Teresa M. Corbin on behalf of defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 in opposition to motion for leave to file surreply in opposition to motion for preliminary injunction [14-1] (FILED UNDER SEAL) [3:98-cv-04507] (mmr) [Entry date 05/03/99] [Edit date 05/03/99] [3:98cv4507]

04/30/1999 30 PROOF OF SERVICE by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 of declaration [29-1] [3:98-cv-04507] (mmr) [Entry date 05/03/99] [3:98cv4507]

04/30/1999 31 ORDER by Judge Fern M. Smith denying Plaintiff's objection and request [24-1] (Date Entered: 5/3/99) (cc: all counsel) [3:98-cv-04507] (mmr) [Entry date 05/03/99] [3:98cv4507]

04/30/1999 32 Supplemental DECLARATION by Denise Gilbert on behalf of defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace 3:98-cv-04507 (FILED UNDER SEAL) [3:98-cv-04507] (mmr) [Entry date 05/03/99] [3:98cv4507]

05/04/1999 33 ORDER by Judge Fern M. Smith DENYING plaintiff's motion for preliminary injunction; GRANTING IN PART and DENYING IN PART defendant's motion for leave to file surreply in opposition to motion for preliminary injunction [14-1]; DENYING without prejudice defendant's motion for summary judgment; no further dispositive motions may be filed by either pary until the interference proceeding is complete; discovery will not be stayed during that time. (cc: all counsel) [3:98-cv-04507] (slh) [Entry date 05/10/99] [3:98cv4507]

05/04/1999 38 SURREPLY by defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 in opposition to motion for preliminary injunction. [3:98-cv-04507] FILED UNDER SEAL (rs) [Entry date 05/11/99] [Edit date 05/11/99] [3:98cv4507]

05/04/1999 39 DECLARATION by Charles L. Gholz on behalf of defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 re surreply [38-1] [3:98-cv-04507] FILED UNDER SEAL. (rs) [Entry date 05/11/99] [Edit date 05/11/99] [3:98cv4507]

05/04/1999 40 DECLARATION by Teresa M. Corbin on behalf of defendant Synteni, Inc. in 3:98-cv-04507, defendant Incyte Pharmace in 3:98-cv-04507 re surreply [38-1] [3:98-cv-04507] FILED UNDER SEAL. (rs) [Entry date 05/11/99] [Edit date 05/11/99] [3:98cv4507]

05/06/1999 34 NOTICE OF MOTION AND MOTION before Judge Fern M. Smith by defendants in 3:98-cv-04507 to stay with Notice set for 6/11/99 at 10:00 [3:98-cv-04507] (slh) [Entry date 05/10/99] [3:98cv4507]

05/06/1999 35 DECLARATION by Teresa M. Corbin on behalf of defendants in 3:98-cv-04507 in support of motion to stay [34-1] [3:98-cv-04507] (slh) [Entry date 05/10/99] [3:98cv4507]

05/06/1999 36 DECLARATION by Charles L. Gholz on behalf of defendants in 3:98-cv-04507 re motion to stay [34-1] [3:98-cv-04507] (slh) [Entry date 05/10/99] [3:98cv4507]

05/06/1999 37 PROOF OF SERVICE by defendants in 3:98-cv-04507 of motion to stay [34-1], declaration [35-1], declaration [36-1] [3:98-cv-04507] (slh) [Entry date 05/10/99] [3:98cv4507]

05/10/1999 41 ORDER by Judge Fern M. Smith DENYING defendants' motion to stay [34-1]. (Date Entered: 5/12/99) (cc: all counsel) [3:98-cv-04507] (lcc) [Entry date 05/12/99] [3:98cv4507]

05/18/1999 42 MINUTES: (C/R - none) (Hearing Date: 4/27/99) Tutorial hearing held. Case continued to 4/30/99 at 1:30 for defendants' motion for partial summary judgment that claims 4 and 5 of the '992 patent are invalid for failure to satisfy the written description requirement of 35 U.S.C. Section 112 filed in case number 3:98-cv-4508 FMS. [3:98-cv-04507] (lcc) [Entry date 05/19/99] [3:98cv4507]

05/18/1999 43 MINUTES: (C/R - Leo Mankiewicz) (Hearing Date: 4/30/99) That defendants' motion for partial summary judgment that claims 4 and 5 of the '992 patent are invalid for failure to satisfy the written description requirement of 35 U.S.C. Section 112 and plaintiff's motion for preliminary injunction (filed in case number 3:98-cv-4508 FMS) are SUBMITTED. [3:98-cv-04507] (lcc) [Entry date 05/19/99] [Edit date 05/19/99] [3:98cv4507]

05/18/1999 44 REPORTER'S TRANSCRIPT; Date of proceedings: 4/30/99 (C/R: Leo Mankiewicz) minutes [43-1]. [3:98-cv-04507] (lcc) [Entry date 05/19/99] [3:98cv4507]

05/19/1999 45 EX-PARTE MOTION before Judge Fern M. Smith by defendants for leave to provide litigation documents to related patent interference proceedings [3:98-cv-04507] (lcc) [Entry date 05/20/99] [3:98cv4507]

05/19/1999 46 DECLARATION by N. Thane Bauz on behalf of defendants in support of ex parte motion for leave to provide litigation documents to related patent interference proceedings [45-1] [3:98-cv-04507] (lcc) [Entry date 05/20/99] [3:98cv4507]

05/19/1999 -- RECEIVED Proposed Order (defendants) re: ex parte motion for leave to provide litigation documents to related patent interference proceedings [45-1] [3:98-cv-04507] (lcc) [Entry date 05/20/99] [3:98cv4507]

05/19/1999 47 CERTIFICATE OF SERVICE by defendants of ex parte motion for leave to provide litigation documents to related patent interference proceedings [45-1], declaration [46-1] and order received [0-0] [3:98-cv-04507] (lcc) [Entry date 05/20/99] [3:98cv4507]

05/21/1999 48 OPPOSITION by Plaintiff Affymetrix, Inc. to ex parte motion for leave to provide litigation documents to related patent interference proceedings [45-1] [3:98-cv-04507] (lcc) [Entry date 05/24/99] [3:98cv4507]

05/21/1999 49 DECLARATION by Craig R. Kaufman on behalf of Plaintiff Affymetrix, Inc. in support of opposition [48-1] [3:98-cv-04507] (lcc) [Entry date 05/24/99] [3:98cv4507]

05/24/1999 50 ORDER by Judge Fern M. Smith DENYING defendants' ex parte motion for leave to provide litigation documents to related patent interference proceedings [45-1]. (Date Entered: 5/26/99) (cc: all counsel) [3:98-cv-04507] (lcc) [Entry date 05/26/99] [3:98cv4507]

06/04/1999	51	PROOF OF SERVICE by Plaintiff Affymetrix, Inc. of opposition [48-1] [3:98-cv-04507] (lcc) [Entry date 06/04/99] [3:98cv4507]
06/07/1999	52	APPLICATION before Judge Fern M. Smith by defendants for attorney, Steven B. Kelber to appear pro hac vice [3:98-cv-04507] (lcc) [Entry date 06/08/99] [3:98cv4507]
06/07/1999	53	CERTIFICATION by Steven B. Kelber on behalf of defendants in support of application to appear pro hac vice [52-1] [3:98-cv-04507] (lcc) [Entry date 06/08/99] [3:98cv4507]
06/07/1999	--	RECEIVED Proposed Order (defendants) re: application for attorney, Steven B. Kelber to appear pro hac vice [52-1] [3:98-cv-04507] (lcc) [Entry date 06/08/99] [3:98cv4507]
06/07/1999	54	CERTIFICATE OF SERVICE by defendants of application for attorney, Steven B. Kelber to appear pro hac vice [52-1], declaration [53-1] and order received [0-0] [3:98-cv-04507] (lcc) [Entry date 06/08/99] [3:98cv4507]
06/08/1999	55	ORDER by Judge Fern M. Smith GRANTING defendants' application for attorney, Steven B. Kelber to appear pro hac vice [52-1]. (Date Entered: 6/9/99) (cc: all counsel) [3:98-cv-04507] (lcc) [Entry date 06/09/99] [3:98cv4507]
06/14/1999	56	NOTICE by defendants of Entry of order [55-1]. [3:98-cv-04507] (lcc) [Entry date 06/16/99] [3:98cv4507]
06/14/1999	57	CERTIFICATE OF SERVICE by defendants of notice [56-1] [3:98-cv-04507] (lcc) [Entry date 06/16/99] [3:98cv4507]
06/16/1999	58	REDACTED AMENDED OPPOSITION (Public Version II) by defendants to motion for preliminary injunction filed in 3:98-cv-4508 [3:98-cv-04507] (lcc) [Entry date 06/21/99] [Edit date 06/21/99] [3:98cv4507]
06/16/1999	59	REDACTED APPENDIX (Public Version II) filed by defendants to redacted amended opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	60	REDACTED DECLARATION (by fax - Public Version II) by Scott Braxton on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	61	REDACTED DECLARATION (by fax - Public Version II) by Patrick Brown on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	62	REDACTED DECLARATION (by fax - Public Version II) by Charles Cantor on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	63	REDACTED DECLARATION (by fax - Public Version II) by Ben Cocks on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	64	REDACTED DECLARATION (by fax - Public Version II) by Teresa M. Corbin on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	65	REDACTED EXHIBITS C, I and BB (by fax - Public Version II) by defendants to declaration (Teresa M. Corbin) [64-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	66	REDACTED DECLARATION (by fax - Public Version II) by Denise Gilbert on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	67	REDACTED DECLARATION (by fax - Public Version II) by Howard Goldstein on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	68	REDACTED DECLARATION (by fax - Public Version II) by Steven B. Kelber on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	69	REDACTED DECLARATION (by fax - Public Version II) by Larry J. Kricka on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	70	REDACTED DECLARATION (by fax - Public Version II) by Deval Lashkari on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	71	REDACTED DECLARATION (by fax - Public Version II) by Lisa Peterson on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	72	REDACTED DECLARATION (by fax - Public Version II) by Michael C. Pirrung on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	73	REDACTED DECLARATION (by fax - Public Version II) by Richard T. Rapp on behalf of defendants [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	74	REDACTED DECLARATION (by fax - Public Version II) by Jeff Seilhamer on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	75	REDACTED DECLARATION (by fax - Public Version II) by Dari Shalon on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	76	REDACTED DECLARATION (by fax - Public Version II) by Roy Whitfield on behalf of defendants in support of opposition [58-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
06/16/1999	77	CERTIFICATE OF SERVICE by defendants of amended opposition [58-1], appendix [59-1], redacted declarations [60-1], [61-1], [62-1], [63-1], [64-1], exhibits [65-1] and redacted declarations [66-1], [67-1], [68-1], [69-1], [70-1], [71-1], [72-1], [73-1], [74-1], [75-1], [76-1] [3:98-cv-04507] (lcc) [Entry date 06/21/99] [3:98cv4507]
07/06/1999	78	CLERK'S NOTICE of impending reassignment to a United States District Judge. All currently calendared dates

before Judge Fern M. Smith are VACATED. [3:98-cv-04507] (lcc) [Entry date 07/12/99] [3:98cv4507]

08/19/1999 79 REASSIGNMENT ORDER by Assignment Committee: Case reassigned to Judge William H. Alsup (Date Entered: 8/19/99) (cc: all counsel) [3:98-cv-04507] (slh) [Entry date 08/19/99] [3:98cv4507]

08/20/1999 80 ORDER by Judge William H. Alsup for counsel to submit a joint status report within 15 days. (Date Entered: 8/23/99) (cc: all counsel) [3:98-cv-04507] (slh) [Entry date 08/23/99] [3:98cv4507]

08/27/1999 81 JOINT CLAIM CONSTRUCTION STATEMENT pursuant to Local Rule 16-11(b) [3:98-cv-04507] (slh) [Entry date 08/30/99] [3:98cv4507]

09/03/1999 82 CLERK'S NOTICE: Case Management Conference set for 2:00 9/10/99 [3:98-cv-04507] (slh) [Entry date 09/08/99] [3:98cv4507]

09/07/1999 83 JOINT STATUS REPORT by parties [3:98-cv-04507] (slh) [Entry date 09/08/99] [3:98cv4507]

09/10/1999 84 LETTER dated 9/10/99 from William L. Anthony in 3:98-cv-04507 amending the service list. [3:98-cv-04507] (slh) [Entry date 09/16/99] [3:98cv4507]

09/13/1999 85 MINUTES: (C/R Raynee Mercado) (Hearing Date: 9/10/99) Case management confrence held; Tutorial shall be held 1/26/00 at 2:00; Claim construction hearing will be held 2:00 2/16/00 & 2/18/00 and 4:00 2/17/00; Discovery cutoff set for 3/17/00; cutoff date for expert discovery is 6/20/00; Deadline for dispositive motion filings is 5/25/00; Pretrial conference set for 2:30 9/4/00; Jury trial will held 8:00 9/11/00 [3:98-cv-04507] (slh) [Entry date 09/16/99] [3:98cv4507]

09/13/1999 86 CASE MANAGEMENT ORDER by Judge William H. Alsup: A tutorial for the Court shall be held 1/26/00 from 2:00 to 6:00; Claim construction hearing will be held 2:00 2/16/00 & 2/18/00 and 4:00 2/17/00; dispositive motions will be filed by 5/25/00; Pre-trial conference will be held 2:30 9/4/00; Jury Trial set for 8:00 9/11/00 (cc: all counsel) [3:98-cv-04507] (slh) [Entry date 09/16/99] [3:98cv4507]

09/14/1999 87 NOTICE by Plaintiff in 3:98-cv-04507 of entry of stipulation and order to extend filing date of the joint claim construction statement. [3:98-cv-04507] (slh) [Entry date 09/16/99] [3:98cv4507]

09/15/1999 88 AMENDED CASE MANAGEMENT ORDER by Judge William H. Alsup: A tutorial for the Court shall be held 2:00 1/26/00; Claims construction hearing will be held 2:00 2/16/00; Discovery cutoff 3/17/00; deadline for discovery from experts is 4/7/00; dispositive motions will be filed by 5/25/00; Pre-trial conference be held 2:30 8/21/00; Jury Trial set for 8:00 9/11/00 (cc: all counsel) [3:98-cv-04507] (slh) [Entry date 09/20/99] [3:98cv4507]

09/21/1999 89 ORDER by Judge William H. Alsup: A technology tutorial shall be held for the Court 1/26/00 from 2:00pm to 6:00pm; A claim construction hearing shall be held from 2:00pm to 6:00pm on 2/16/00, 4:00pm to 6:00pm on 2/17/00 and 2:00pm to 6:00pm on 2/18/00. Parties are to submit written statements on whether: (1) the claim construction hearings should be consolidated; and (2) whether the parties to Affymetrix Inc. -v- Hyseq Inc., C98-3192 should participate in the technology tutorial scheduled in Affymetrix Inc. -v- Synteni Inc., C98-4507. Statements shall be filed no later than fifteen days from the date of this order. (Date Entered: 9/24/99) (cc: all counsel) [3:98-cv-03192, 3:98-cv-04507] (lmh) [Entry date 09/24/99] [3:98cv3192 3:98cv4507]

09/28/1999 90 ORDER by Judge William H. Alsup to submit promptly any information re any grounds for recusal (Date Entered: 10/4/99) (cc: all counsel) [3:98-cv-04507] (rs) [Entry date 10/04/99] [3:98cv4507]

10/06/1999 91 STATEMENT by Plaintiff re: consolidated claim construction proceedings. [3:98-cv-03192, 3:98-cv-04507] (slh) [Entry date 10/07/99] [3:98cv3192 3:98cv4507]

10/14/1999 94 ORDER by Judge William H. Alsup: the court orders that the claim construction hearing previously ordered herein will be conducted jointly with related case no C 98-3192 WHA as per the appened order; Counsel shall please coordinate service of briefs and allocation of time at the hearing; time shaould be reserved for the claims unique to the present case (Date Entered: 10/19/99) (cc: all counsel) [3:98-cv-04507] (bug) [Entry date 10/19/99] [3:98cv4507]

10/15/1999 92 STATEMENT Plaintiff in 3:98-cv-04507 in response to order to submit promptly any information re any grounds for recusal [90-1] [3:98-cv-04507] (slh) [Entry date 10/19/99] [3:98cv4507]

10/15/1999 93 PROOF OF SERVICE by Plaintiff in 3:98-cv-04507 of statement [92-1] [3:98-cv-04507] (slh) [Entry date 10/19/99] [3:98cv4507]

10/19/1999 95 LETTER dated 10/18/99 from Mary A.P. Howell re: service list. [3:98-cv-04507] (slh) [Entry date 10/20/99] [3:98cv4507]

10/20/1999 96 MINUTES: (C/R Jim Yeomans) (Hearing Date: 10/20/99) Telephone conference held; plaintiff's counsel Ms. Howard shall supply further information on the nature of representation to all parties and the court within 1 week; parties shall file briefs re: positions under 455 by 11/9/99. [3:98-cv-03192, 3:98-cv-04507] (slh) [Entry date 10/21/99] [3:98cv3192 3:98cv4507]

10/29/1999 97 STATEMENT IN RESPONSE by Plaintiff Affymetrix, Inc. to Court's 10/20/99 request for further information regarding Affymetrix' Morrison & Foerster contacts [3:98-cv-04507, 3:98-cv-03192] (slh) [Entry date 11/01/99] [3:98cv3192 3:98cv4507]

10/29/1999 98 DECLARATION by Elizabeth A. Howard on behalf of Plaintiff in support of statement in response [97-1] in 3:98-cv-04507, [147-1] in 3:98-cv-03192 [3:98-cv-04507, 3:98-cv-03192] (slh) [Entry date 11/01/99] [3:98cv3192 3:98cv4507]

11/02/1999 99 PROOF OF SERVICE by Plaintiff in 3:98-cv-04507 of response [97-1], declaration [98-1] [3:98-cv-04507] (slh) [Entry date 11/04/99] [3:98cv4507]

11/02/1999 100 MINUTES: (C/R Leo Mankiewicz) (Hearing Date: 11/2/99) Telephone conference re: possible grounds for

recusal held. [3:98-cv-04507, 3:98-cv-03192] (slh) [Entry date 11/10/99] [3:98cv3192 3:98cv4507]

11/12/1999 101 REPORTER'S TRANSCRIPT; Date of proceedings: 10/20/99 (C/R: James Yeomans) minutes [96-1] [3:98-cv-04507] (slh) [Entry date 11/16/99] [3:98cv4507]

11/30/1999 102 MINUTES: (C/R Jill Barham) (Hearing Date: 11/30/99); Judge Alsup is going to recuse himself [3:98-cv-04507] (bug) [Entry date 12/06/99] [3:98cv4507]

11/30/1999 103 ORDER by Judge William H. Alsup: recusing himself in this action and request that the case be reassigned; all pending dates are hereby VACATED and are to be reset by the newly assigned Judge (Date Entered: 12/6/99) (cc: all counsel) [3:98-cv-04507] (bug) [Entry date 12/06/99] [3:98cv4507]

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EXHIBIT G

US District Court Civil Docket

**U.S. District - California Northern
(San Francisco)**

3:98cv4508

Affymetrix, Inc, et al v. Synteni Inc, et al

This case was retrieved from the court on Friday, December 17, 1999

Date Filed: 11/24/1998	Class Code: CONSOL REFDIS
Assigned To: Judge William H Alsup	Closed: no
Referred To: Magistrate Judge Maria-Elena James	Statute: 15:1126
Nature of suit: Patent (830)	Jury Demand: Plaintiff
Cause: Patent Infringement	Demand Amount: \$0
Lead Docket: 98-CV-4507	NOS Description: Patent
Other Docket: Dkt # in USDC Delaware : is 98 520	
Jurisdiction: Federal Question	

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Date	#	Proceeding Text
11/24/1998	1	ORIGINAL file, certified copy of transfer order and docket sheet received from USDC Delaware (no process). Fee status tran; jury demand Their case number 98 0520. Patent Case [4:98-cv-04508] (db) [Entry date 11/25/98]
11/24/1998	2	ORDER RE COURT PROCEDURE and SCHEDULE by Judge D. L. Jensen : counsels' case management statement to be filed by 3/14/99 ; initial case management conference will be held 8:30 3/24/99 . (cc: all counsel) (db) [Entry date 11/25/98]
11/24/1998	3	NOTICE by Plaintiff Affymetric Inc. of related case(s) C98 3192 FMS, C98 4507 JL [4:98-cv-04508] (db) [Entry date 11/25/98]

11/24/1998	1	MOTION (filed 9/1/98 in U.S.D.C. - Delaware) now before Judge Fern M. Smith by Plaintiff Affymetrix Inc. for preliminary injunction [3:98-cv-04508] (lcc) [Entry date 03/29/99]
11/30/1998	4	ORIGINAL file, certified copy of transfer order and docket sheet received from US District Court - Delaware (no process). Fee status tran; jury demand [4:98-cv-04508] (mh) [Entry date 11/30/98]
12/02/1998	--	RECEIVED Stipulation re notice of related case submitted by Plaintiff, defendant [4:98-cv-04508] (scu) [Entry date 12/03/98]
12/03/1998	5	ORDER by Judge D. L. Jensen referring this case to a Magistrate Judge for the purposes of discovery (Date Entered: 12/04/98) (cc: all counsel) [4:98-cv-04508] (mh) [Entry date 12/04/98]
12/04/1998	--	REFERRAL: referring case for discovery to Mag. Judge Maria-Elena James [4:98-cv-04508] (wh) [Entry date 12/04/98]
12/04/1998	6	PROOF OF SERVICE by Plaintiff Affymetrix Inc. of document received re stipulation [0-0] [4:98-cv-04508] (mh) [Entry date 12/04/98]
12/11/1998	7	Consolidated REPLY BRIEF by defendants in support of motions to compel discovery (see District of Delaware docket numbers 66 & 68) [4:98-cv-04508] (kc) [Entry date 12/14/98]
12/11/1998	8	DECLARATION by V. Randall Gard on behalf of defendants in support of motion to compel discovery (see District of Delaware docket #66 & 68) [4:98-cv-04508] (kc) [Entry date 12/14/98]
12/11/1998	9	PROOF OF SERVICE by defendant of declaration [8-1], reply [7-1] [4:98-cv-04508] (kc) [Entry date 12/14/98]
12/14/1998	10	ORDER by Judge Fern M. Smith relating case C-98-3192-FMS with member cases C-98-4507-JL and C-98-4508-DLJ; Case reassigned to Judge Fern M. Smith; (Date Entered: 12/16/98) (cc: all counsel) [4:98-cv-04508] (kc) [Entry date 12/16/98]
12/15/1998	11	EXPEDITED MOTION before Judge Fern M. Smith by Plaintiff Affymetrix Inc. to shorten time on motion for preliminary injunction [3:98-cv-04508] (lcc) [Entry date 12/16/98]
12/15/1998	12	DECLARATION by Sue Siegel on behalf of Plaintiff Affymetrix Inc. in support of expedited motion to shorten time on motion for preliminary injunction [11-1] [3:98-cv-04508] (lcc) [Entry date 12/16/98]
12/15/1998	13	DECLARATION by Shelley J. Sandusky on behalf of Plaintiff Affymetrix Inc. in support of expedited motion to shorten time on motion for preliminary injunction [11-1] [3:98-cv-04508] (lcc) [Entry date 12/16/98]
12/15/1998	14	DECLARATION by Elizabeth A. Howard on behalf of Plaintiff Affymetrix Inc. in support of expedited motion to shorten time on motion for preliminary injunction [11-1] [3:98-cv-04508] (lcc) [Entry date 12/16/98] [Edit date 12/16/98]
12/15/1998	--	RECEIVED Proposed Order (Plaintiff Affymetrix Inc.) re: expedited motion to shorten time on motion for preliminary injunction [11-1] [3:98-cv-04508] (lcc) [Entry date 12/16/98]
12/15/1998	15	RE-NOTICE of hearing by Plaintiff Affymetrix Inc. regarding motion for preliminary injunction; hearing set for 10:00 1/15/99 [3:98-cv-04508] (lcc) [Entry date 12/16/98]
12/15/1998	16	PROOF OF SERVICE by Plaintiff Affymetrix Inc. of expedited motion to shorten time on motion for preliminary injunction [11-1], declarations [12-1], [13-1], [14-1], order received [0-0] and motion notice [15-1] [3:98-cv-04508] (lcc) [Entry date 12/16/98]
12/15/1998	17	CERTIFICATE OF SERVICE by defendants of documents filed on 11/3/98 and 11/6/98 in U.S. District Court (Delaware). [3:98-cv-04508] (lcc) [Entry date 12/17/98]
12/16/1998	18	MINUTES: (C/R - none) (Hearing Date: 12/15/98) Status Conference held by phone. Defendant should continue with deposition today and make a record. Defendant has leave of the Court to file a formal motion to compel. Counsel should not have any communication with witnesses without permission of lawyer. [3:98-cv-04508] (lcc) [Entry date 12/17/98]
12/17/1998	19	NOTICE of hearing by defendant Synteni Inc., defendant Incyte Pharmaceutica setting motion to compel discovery filed 11/3/98 for 1/15/98 at 10:00 a.m. [3:98-cv-04508] (mmr) [Entry date 12/22/98]
12/17/1998	20	NOTICE of hearing by defendant Synteni Inc., defendant Incyte Pharmaceutica setting motion to compel discovery filed 11/6/98 for hearing on 1/15/99 at 10:00 a.m. [3:98-cv-04508] (mmr) [Entry date 12/22/98]
12/17/1998	22	RE-NOTICE of hearing by defendant Synteni Inc., defendant Incyte Pharmaceutica setting motion to compel discovery filed 11/6/98 for hearing on 1/21/99 at 10:00 a.m. [3:98-cv-04508] (mmr) [Entry date 12/22/98]
12/17/1998	23	PROOF OF SERVICE by defendant Synteni Inc., defendant Incyte Pharmaceutica of motion notice [21-1], motion notice [22-1], motion notice [20-1], motion notice [19-1] [3:98-cv-04508] (mmr) [Entry date 12/22/98]
12/17/1998	24	CLERK'S NOTICE Case Management Conference set for 8:30 a.m. on 4/2/99 [3:98-cv-04508] (mmr) [Entry date 12/22/98]
12/17/1998	25	EXPEDITED MOTION before Judge Fern M. Smith by defendant Synteni Inc., defendant Incyte Pharmaceutica to shorten time for hearing on motion to compel discovery filed 11/3/98 [3:98-cv-04508] (mmr) [Entry date 12/22/98]
12/17/1998	26	EXPEDITED MOTION before Judge Fern M. Smith by defendant Synteni Inc., defendant Incyte Pharmaceutica to shorten time for hearing on motion to compel discovery filed 11/3/98 and 11/6/98 [3:98-cv-04508] (mmr) [Entry date 12/22/98]
12/17/1998	27	DECLARATION by Teresa M. Corbin on behalf of defendant Synteni Inc., defendant Incyte Pharmaceutica in support of motion to shorten time for hearing on motion to compel discovery 11/3/98 and 11/6/98 [26-1], in

support of motion to shorten time for hearing on motion to compel discovery filed 11/3/98 [25-1] [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/17/1998 28 RE-NOTICE of hearing by Plaintiff Affymetric Inc. setting plaintiff's motion for preliminary injunction for 1/22/99 at 10:00 a.m. [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/17/1998 29 ORDER by Judge Fern M. Smith denying motion to shorten time for hearing on motion to compel discovery filed [25-1] (Date Entered: 12/22/98) (cc: all counsel) [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/17/1998 30 ORDER by Judge Fern M. Smith denying motion to shorten time for hearing on motion to compel discovery filed and 11/6/98 [26-1] (Date Entered: 12/22/98) (cc: all counsel) [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/18/1998 21 RE-NOTICE of hearing by defendant Synteni Inc., defendant Incyte Pharmaceutica setting motion to compel discovery filed 11/3/98 for 1/21/99 at 10:00 a.m. [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/18/1998 31 PROOF OF SERVICE by Plaintiff Affymetric Inc. of motion notice [21-1] [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/18/1998 32 EXPEDITED MOTION before Judge Fern M. Smith by defendant Synteni Inc., defendant Incyte Pharmaceutica to continue hearing and briefing schedule of plaintiff's motion for preliminary injunction [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/18/1998 33 NOTICE by defendant Synteni Inc., defendant Incyte Pharmaceutica [32-1] of expedited motion to continue hearing and briefing schedule of plaintiff's motion for preliminary injunction [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/18/1998 34 DECLARATION by Teresa M. Corbin on behalf of defendant Synteni Inc., defendant Incyte Pharmaceutica in support of motion to continue hearing and briefing schedule of plaintiff's for preliminary injunction [32-1] [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/18/1998 35 PROOF OF SERVICE by defendant Synteni Inc., defendant Incyte Pharmaceutica of declaration [34-1], notice [33-1], motion to continue hearing and briefing schedule of plaintiff's motion for preliminary injunction [32-1] [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/18/1998 36 PROOF OF SERVICE by defendant Synteni Inc., defendant Incyte Pharmaceutica of stipulation and proposed order for leave to file an opposition in excess of page limits [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/18/1998 -- RECEIVED Proposed Order (defendant Synteni Inc., defendant Incyte Pharmaceutica) re: motion to continue hearing and briefing schedule of plaintiff's motion for preliminary injunction [32-1] [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/18/1998 37 MEMORANDUM by Plaintiff Affymetric Inc. in opposition to motion to continue hearing and briefing schedule of plaintiff's motion for preliminary injunction [32-1] [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/18/1998 -- RECEIVED Proposed Order (Plaintiff Affymetric Inc.) re: motion to continue hearing and briefing schedule of plaintiff's motion for preliminary injunction [32-1] [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/21/1998 38 STIPULATION and ORDER by Judge Fern M. Smith : for leave to file an opposition brief exceeding the page limits (cc: all counsel) [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/21/1998 39 EXPEDITED MOTION before Judge Fern M. Smith by defendant Synteni Inc., defendant Incyte Pharmaceutica to shorten time for hearing on defts' motions to compel discovery filed 11/3/98 and 11/6/98 [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/21/1998 40 DECLARATION by Mark Malin on behalf of defendant Synteni Inc., defendant Incyte Pharmaceutica in support of motion to shorten time for hearing on defts' motions to compel discovery 11/3/98 and 11/6/98 [39-1] [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/21/1998 41 DECLARATION by Teresa M. Corbin on behalf of defendant Synteni Inc., defendant Incyte Pharmaceutica in support of motion to shorten time for hearing on defts' motions to compel discovery filed 11/3/98 and 11/6/98 [39-1] [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/21/1998 -- RECEIVED Proposed Order (defendant Synteni Inc., defendant Incyte Pharmaceutica) re: motion to shorten time for hearing on defts' motions to compel discovery filed 11/3/98 and 11/6/98 [39-1] [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/21/1998 42 PROOF OF SERVICE by defendant Synteni Inc., defendant Incyte Pharmaceutica of order received [0-0], declaration [41-1], declaration [40-1], motion to shorten time for hearing on defts' motions to compel discovery filed 11/3/98 and 11/6/98 [39-1] [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/21/1998 43 PROOF OF SERVICE by defendant Synteni Inc., defendant Incyte Pharmaceutica of opposition memorandum [37-1] [3:98-cv-04508] (mmr) [Entry date 12/22/98]

12/21/1998 44 ORDER by Judge Fern M. Smith referring case for discovery to Mag. Judge Maria-Elena James (Date Entered: 12/23/98) (cc: all counsel) [3:98-cv-04508] (mmr) [Entry date 12/23/98]

12/21/1998 50 AMENDED CERTIFICATE OF SERVICE by defendants of motion to continue hearing and briefing schedule of plaintiff's motion for preliminary injunction [32-1], notice [33-1], declaration [34-1] and proof of service [35-1] [3:98-cv-04508] (lcc) [Entry date 01/05/99]

12/22/1998 45 Statement by Plaintiff Affymetric Inc. in NON-Opposition to motion to shorten time for hearing on defts' motions to compel discovery filed 11/3/98 and 11/6/98 [39-1] [3:98-cv-04508] (mmr) [Entry date 12/23/98]

12/22/1998 46 DECLARATION by Shelley Sandusky on behalf of Plaintiff Affymetric Inc. in support of non- opposition statement [45-1] [3:98-cv-04508] (mmr) [Entry date 12/23/98]

12/23/1998 47 PROOF OF SERVICE by Plaintiff Affymetrix Inc. of non-opposition statement [45-1] and declaration [46-1] [3:98-cv-04508] (lcc) [Entry date 12/28/98]

12/23/1998 48 CERTIFICATE OF SERVICE by Defendants Synteni Inc. and Incyte Pharmaceuticals of letter brief and certificate of service. [3:98-cv-04508] (lcc) [Entry date 12/28/98]

12/23/1998 54 LETTER dated 12/23/98 from Teresa M. Corbin to Mag. Judge Maria-Elena James regarding two motions by defendants to compel discovery from plaintiff. [3:98-cv-04508] (lcc) [Entry date 01/07/99]

12/30/1998 49 PROOF OF SERVICE by Plaintiff Affymetrix Inc. of Initial Disclosure of asserted claims pursuant to Local Rule 16-7. [3:98-cv-04508] (lcc) [Entry date 12/30/98]

01/07/1999 51 LETTER (by fax) dated 1/5/99 from Teresa M. Corbin to the Court that William J. Marsden of Potter Anderson & Corroon are no longer involved in this case and request that the Court's records be amended to reflect substitution of counsel such that all future correspondence be sent directly to attorney of record, Teresa M. Corbin. [3:98-cv-04508] (lcc) [Entry date 01/07/99]

01/07/1999 52 ORDER by Mag. Judge Maria-Elena James GRANTING defendants' motion to compel. Additionally, the Court ORDERS the parties to adhere to the following briefing schedule: 1. Plaintiff shall complete their document production by 1/22/99. Plaintiff shall, however, exercise due diligence and good faith to produce all documents not considered voluminous by 1/15/99; 2. All depositions shall be completed by 2/5/99; 3. Discovery relevant to Plaintiff's Motion for Preliminary Injunction shall close on 2/5/99; 4. Defendants shall file opposition papers to Plaintiff's Motion for Preliminary Injunction by 2/26/99 in accordance with Civil L.R. 7; 5. Plaintiff shall file a reply to Defendants' opposition by 3/5/99 in accordance with Civil L.R. 7; 6. The District Court shall conduct a hearing on Plaintiff's Motion for Preliminary Injunction on 10:00 3/26/99. The above briefing schedule supercedes the dates ordered orally by the Court at oral argument. In the event that additional discovery disputes arise in the matter herein, the parties are ordered to follow the procedures outlined in Paragraph 3 of the Court's Notice of Reference and Order of Discovery and Disclosure Dispute Procedures, a copy of which is enclosed herein. (Date Entered: 1/7/99) (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 01/07/99]

01/07/1999 53 NOTICE OF REFERENCE AND ORDER by Mag. Judge Maria-Elena James of Discovery and Disclosure Dispute Procedures: Please be advised that if a specific motion was filed before the District Court prior to this referral, the noticed date may no longer be in effect. All hearing dates are subject to the availability of Judge James' calendar (please see order for more specific details). (Date Entered: 1/7/99) (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 01/07/99]

01/07/1999 55 MINUTES: (C/R - Tape #98-38) (Hearing Date: 1/7/99 - Mag. Judge Maria-Elena James) Defendants' motions held. Plaintiff's document production by 1/22/99; depositions by 2/5/99; discovery closed by 2/5/99 for Preliminary Injunction matters. Defendants' opposition due by 2/26/99; reply due 3/5/99. Preliminary Injunction hearing will be held 10:00 3/26/99 before Judge Fern M. Smith. [3:98-cv-04508] (lcc) [Entry date 01/11/99]

01/07/1999 56 COPY OF LETTER dated 1/5/99 from Teresa M. Corbin to William L. Anthony, Jr., Esq. regarding assignment of cases to Mag. Judge Maria-Elena James for discovery purposes. [3:98-cv-04508] (lcc) [Entry date 01/13/99]

01/14/1999 57 LETTER (by fax) dated 1/13/99 from V. Randall Gard, Esq. and Craig R. Kaufman to Mag. Judge Maria-Elena James respectfully request a telephonic discovery conference. [3:98-cv-04508] (lcc) [Entry date 01/15/99]

01/14/1999 58 ORDER by Mag. Judge Maria-Elena James Amending Order Granting Defendant's Motion to Compel Discovery [52-2]: The Court VACATES portion of the order [52-2], filed 1/7/99. The Court ORDERS plaintiff to produce the documents as negotiated and agreed to by counsel at their 1/7/99 meet and conferral which followed oral argument of defendants' motions to compel. Counsel shall fax to the Court a proposed order which sets forth the documents counsel agreed shall be produced by plaintiff. In the event that the Court does not receive the proposed order by 5:00 p.m., 1/14/99, the parties are ORDERED to appear before the Court on 9:30 1/15/99 to meet and confer on plaintiff's document production. All other provisions of the Court's order [52-2], filed 1/7/99, remain in effect. (Date Entered: 1/15/99) (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 01/15/99]

01/15/1999 59 MINUTES: (C/R - none) (Hearing Date: 1/15/99) Discovery Conference held with Mag. Judge Maria-Elena James. Case continued to 3/26/99 at 10:00 a.m. for plaintiff's motion for preliminary injunction before Judge Fern M. Smith. [3:98-cv-04508] (lcc) [Entry date 01/19/99]

01/15/1999 60 SECOND ORDER by Mag. Judge Maria-Elena James Amending Order Granting Defendants' Motion to Compel Discovery [52-2]: Pursuant to the hearing, the Court ORDERS plaintiff to produce all documents, subject to the documents previously disclosed, corresponding to the time and subject matter constraints set forth (please see order for more specific details). (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 01/19/99]

01/15/1999 61 LETTER (by fax) dated 1/14/99 from V. Randall Gard to Mag. Judge Maria-Elena James regarding an attempt to resolve discovery dispute and that the parties still have several significant discovery issues which need to be addressed by the Court. [3:98-cv-04508] (lcc) [Entry date 01/20/99]

01/28/1999 62 APPLICATION (by fax) before Judge Fern M. Smith by Plaintiff Affymetrix Inc. for attorneys, Geoffrey W. Millsom and Ryan D. Poliakoff to appear pro hac vice [3:98-cv-04508] (lcc) [Entry date 01/29/99]

01/28/1999 62 ORDER by Judge Fern M. Smith GRANTING plaintiffs' application for attorneys, Geoffrey W. Millsom and Ryan D. Poliakoff to appear pro hac vice [62-1]. (Date Entered: 1/29/99) (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 01/29/99]

01/28/1999 63 DECLARATION (by fax) Geoffrey W. Millsom on behalf of Plaintiff Affymetrix Inc. in support of application for attorneys to appear pro hac vice [62-1] [3:98-cv-04508] (lcc) [Entry date 01/29/99]

01/28/1999 64 DECLARATION (by fax) Ryan D. Poliakoff on behalf of Plaintiff Affymetrix Inc. in support of application for attorneys to appear pro hac vice [62-1] [3:98-cv-04508] (lcc) [Entry date 01/29/99]

01/28/1999 65 MINUTES: (C/R - none) (Hearing Date: 1/28/99) Discovery conference held with Mag. Judge Maria-Elena James. Matter referred back to Judge Fern M. Smith for status. [3:98-cv-04508] (lcc) [Entry date 02/02/99]

02/01/1999 66 LETTER dated 2/1/99 from Teresa M. Corbin to Mag. Judge Maria-Elena James regarding production of related documents required by the Court's 1/15/99 order. [3:98-cv-04508] (lcc) [Entry date 02/04/99]

02/02/1999 67 MINUTES: (C/R - none) (Hearing Date: 2/2/99) Status Conference held with Mag. Judge Maria-Elena James regarding defendants' motion regarding expert witness. [3:98-cv-04508] (lcc) [Entry date 02/05/99]

02/04/1999 68 MINUTES: (C/R - none) (Hearing Date: 2/4/99) Telephonic Discovery Conference held with Mag. Judge Maria-Elena James. Depositions currently scheduled by defendant and previously noticed in October make take place. [3:98-cv-04508] (lcc) [Entry date 02/05/99]

02/09/1999 70 LETTER dated 2/9/99 from Craig R. Kaufman to Mag. Judge Maria-Elena James regarding production of documents. [3:98-cv-04508] (lcc) [Entry date 02/16/99]

02/11/1999 69 MINUTES: (C/R - none) (Hearing Date: 2/11/99) Status Conference held and continued to 2/18/99 at 3:00 p.m. for Status by phone. [3:98-cv-04508] (lcc) [Entry date 02/12/99]

02/12/1999 71 ORDER by Mag. Judge Maria-Elena James: On 2/1/99, defendants sought clarification of the Court's 1/25/99 order. Plaintiff sought leave to respond to defendant's letter seeking clarification. The Court granted plaintiff leave to submit a response by 2/9/99. On 2/9/99, plaintiff submitted a response in the form of a letter which is presently before the Court. Defendants now request an opportunity to substantively address the questions raised in its 2/1/99 letter as well. Good cause appearing, the Court GRANTS defendants leave to submit a letter brief, not to exceed two (2) pages, no later than 2/18/99. Oral arguments on this matter will be heard on 2/25/99 at 10:00 a.m. (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 02/16/99] [Edit date 07/27/99]

02/18/1999 72 LETTER (by fax) dated 2/18/99 from D. Randall Gard to Mag. Judge Maria-Elena James regarding discovery of production of the interference-related documents. [3:98-cv-04508] (lcc) [Entry date 02/23/99]

02/22/1999 73 MINUTES: (C/R - Leo Mankiewicz) (Hearing Date: 2/18/99) Status Conference held. Discovery dispute discussed. [3:98-cv-04508] (lcc) [Entry date 02/26/99]

02/22/1999 74 REPORTER'S TRANSCRIPT; Date of proceedings: 2/18/99 (C/R: Leo Mankiewicz) minutes [73-2] [3:98-cv-04508] (lcc) [Entry date 02/26/99]

02/23/1999 75 DECLARATION by Teresa M. Corbin on behalf of defendants requesting Court order to change briefing and hearing scheduled [3:98-cv-04508] (lcc) [Entry date 02/26/99]

02/23/1999 76 CERTIFICATE OF SERVICE by defendants of declaration [75-1] [3:98-cv-04508] (lcc) [Entry date 02/26/99]

02/23/1999 75 REQUEST by defendants for Court order to change briefing and hearing schedule [3:98-cv-04508] (lcc) [Entry date 02/26/99]

02/24/1999 79 ORDER by Mag. Judge Maria-Elena James: Upon review of the parties' papers, the Court deems the matter SUBMITTED on the paper until further order by the Court, pursuant to Civil L.R. 7-1 (b). The hearing scheduled on 2/25/99 at 10:00 a.m. is VACATED. (Date Entered: 2/26/99) (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 02/26/99]

02/25/1999 77 DECLARATION by William L. Anthony, Jr. on behalf of Plaintiff Affymetrix Inc. in opposition to request for Court to change briefing and hearing schedule [75-1] and declaration [75-1] [3:98-cv-04508] (lcc) [Entry date 02/26/99]

02/25/1999 78 DECLARATION by Elizabeth Howard on behalf of Plaintiff Affymetrix Inc. in opposition to request for Court order to change briefing and hearing schedule [75-1] and declaration [75-1] [3:98-cv-04508] (lcc) [Entry date 02/26/99]

02/25/1999 80 MINUTES: (C/R - none) (Hearing Date: 2/25/99) Oral Argument before Mag. Judge Maria-Elena James - parties not present. Parties disputed position regarding defendants' request for clarification of 2nd amended order granting defendants' motion to compel discovery dated 1/15/99 - Scope of production of interference proceeding documents item #6. Matter deemed SUBMITTED on the papers. [3:98-cv-04508] (lcc) [Entry date 02/26/99] [Edit date 02/26/99]

03/01/1999 81 EX-PARTE MOTION with Memorandum of Points and Authorities before Judge Fern M. Smith by Plaintiff Affymetrix Inc. for order to show cause why preliminary injunction should not be entered against defendants Synteni, Inc. and Incyte Pharmaceuticals, Inc. [3:98-cv-04508] (lcc) [Entry date 03/01/99]

03/01/1999 82 DECLARATION by Craig R. Kaufman on behalf of Plaintiff Affymetrix Inc. in support of ex parte motion for order to show cause why preliminary injunction should not be entered against defendants Synteni, Inc. and Incyte Pharmaceuticals, Inc. [81-1] [3:98-cv-04508] (lcc) [Entry date 03/01/99]

03/01/1999 83 DECLARATION by Melissa A. Finocchio on behalf of Plaintiff Affymetrix Inc. in support of ex parte motion for order to show cause why preliminary injunction should not be entered against defendants Synteni, Inc. and Incyte Pharmaceuticals, Inc. [81-1] [3:98-cv-04508] (lcc) [Entry date 03/01/99]

03/01/1999 -- RECEIVED Proposed Order (Plaintiff Affymetrix Inc.) re: ex parte motion for order to show cause why preliminary injunction should not be entered against defendants Synteni, Inc. and Incyte Pharmaceuticals, Inc. [81-1] [3:98-cv-04508] (lcc) [Entry date 03/01/99]

03/02/1999 84 OPPOSITION by defendants to ex parte motion for order to show cause why preliminary injunction should not be entered against defendants Synteni, Inc. and Incyte Pharmaceuticals, Inc. [81-1] [3:98-cv-04508] (lcc) [Entry date 03/02/99]

03/02/1999 85 CERTIFICATE OF SERVICE by defendants of opposition [84-1] [3:98-cv-04508] (lcc) [Entry date 03/02/99]

03/02/1999 86 PROOF OF SERVICE by Plaintiff Affymetrix Inc. of letter and declarations [77-1], [78-1] [3:98-cv-04508] (lcc)

[Entry date 03/02/99]

03/02/1999 87 PROOF OF SERVICE by Plaintiff Affymetrix Inc. of ex parte motion for order to show cause why preliminary injunction should not entered against defendants Synteni, Inc. and Incyte Pharmaceuticals, Inc. [81-1], declarations [82-1], [83-1] and order received [0-0] [3:98-cv-04508] (lcc) [Entry date 03/02/99]

03/03/1999 88 ORDER by Judge Fern M. Smith: Although the Court has broad discretion to sanction a party for failing to comply with the rules of discovery, any kind of an injunction is an extraordinary remedy. After reviewing the equities of the circumstances described in plaintiff's motion and accompanying papers, the Court finds that they do not warrant the issuance of such an extraordinary sanction. Plaintiff's ex parte request for order to show cause why preliminary injunction should not be entered against defendants Synteni, Inc. and Incyte Inc. [81-1] is DENIED. (Date Entered: 3/4/99) (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 03/04/99]

03/03/1999 89 LETTER (by fax) dated 3/3/99 from Melissa A. Finocchio to Mag. Judge Maria-Elena James requesting that the Court: (1) compel defendants, by no later than 9:00 a.m. on 3/8/99 to obey the Court's order of 1/15/99 (at paragraph 6(A)) directing them to produce documents responsive to Request No. 7-10; (2) impose sanctions against defendants; and (3) schedule a telephonic hearing for 3/4/99 at whatever time is convenient for the Court. [3:98-cv-04508] (lcc) [Entry date 03/04/99]

03/04/1999 90 EX-PARTE MOTION before Mag. Judge Maria-Elena James by Plaintiff Affymetrix Inc. to compel the deposition of Dr. Richard Rapp or to preclude testimony [3:98-cv-04508] (lcc) [Entry date 03/04/99]

03/04/1999 91 DECLARATION by Amy L. Landers on behalf of Plaintiff Affymetrix Inc. in support of ex parte motion to compel the deposition of Dr. Richard Rapp [90-1] and ex parte motion to preclude testimony [90-2] [3:98-cv-04508] (lcc) [Entry date 03/04/99]

03/04/1999 -- RECEIVED Proposed Order (Plaintiff Affymetrix Inc.) re: ex parte motion to compel the deposition of Dr. Richard Rapp [90-1] and ex parte motion to preclude testimony [90-2] [3:98-cv-04508] (lcc) [Entry date 03/04/99]

03/04/1999 92 DECLARATION OF SERVICE by Plaintiff Affymetrix Inc. of ex parte motion to compel the deposition of Dr. Richard Rapp [90-1], ex parte motion to preclude testimony [90-2], declaration [91-1] and order received [0-0] [3:98-cv-04508] (lcc) [Entry date 03/04/99]

03/04/1999 93 LETTER (by fax) dated 3/4/99 from V. Randall Gard to Mag. Judge Maria-Elena James regarding resolution of discovery disputes. [3:98-cv-04508] (lcc) [Entry date 03/05/99]

03/04/1999 94 ORDER by Mag. Judge Maria-Elena James DENYING plaintiff's letter requesting to compel defendants [89-1] of merger documents generated prior to the issuance of the '992 patent. (Date Entered: 3/5/99) (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 03/05/99]

03/04/1999 95 ORDER by Mag. Judge Maria-Elena James Clarifying Second Amended Order Regarding Order Granting Defendants' Motions to Compel [60-1]: Based on the aforementioned analysis, the Court ORDERS Defendants to produce FORTHWITH to Plaintiff (1) Defendants' 1/14/99 press release which references the '992 interference; (2) declarations in support of the '992 interference request; and (3) correspondence between the PTO and applicant's counsel with respect to the '992 interference. Said production shall occur by 3/9/99 at 12:00 p.m. Defendants are not required to produce drafts of expert and non-party declarations supporting the request for interference, nor any Stanford Patent Application and file history, including the patent referenced in the 1/14/99 press release. (Date Entered: 3/5/99) (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 03/05/99]

03/04/1999 96 ORDER by Mag. Judge Maria-Elena James DENYING plaintiff's ex parte motion to compel the deposition of Dr. Richard Rapp [90-1] and ex parte motion to preclude testimony [90-2]. Matter herein is REFERRED to the District Court. (Date Entered: 3/5/99) (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 03/05/99]

03/05/1999 97 LETTER dated 2/25/99 from William L. Anthony, Jr. to Judge Fern M. Smith respectfully requests that the Court maintain the current schedule, namely: 1. Defendants' opposition papers to Affymetrix's Motion for Preliminary Injunction of 3/5/99; 2. Plaintiff's reply to Defendants' opposition due 3/12/99; 3. The hearing will go forward as currently scheduled on 3/26/99. [3:98-cv-04508] (lcc) [Entry date 03/05/99]

03/05/1999 98 LETTER (by fax) dated 3/4/99 from Stephen J. Rosenman to Judge Fern M. Smith regarding plaintiff's ex parte motion concerning the deposition of Dr. Richard Rapp. [3:98-cv-04508] (lcc) [Entry date 03/05/99]

03/08/1999 99 MINUTES: (C/R - none) (Hearing Date: 3/5/99) Status Conference held by phone. Parties have been instructed to not send anymore discovery to either Judge Smith or Magistrate Judge James. Parties shall send all discovery to an agreed upon Special Master. Tutorial hearing set for 4/27/99 at 2:30 p.m., each side shall have 1 hour. Case continued to 4/30/99 at 1:00 p.m. for motion; opening briefs due 3/19/99 and opposition due 4/2/99. Motion hearing may include witness testimony and will run from 1:00 p.m. to 4:30 p.m. [3:98-cv-04508] (lcc) [Entry date 03/08/99] [Edit date 07/29/99]

03/15/1999 100 ORDER by Judge Fern M. Smith Modifying Hearing and Briefing Schedule regarding Plaintiff Affymetrix, Inc.'s Motion for Preliminary Injunction: Defendant's brief in opposition to plaintiff's Motion for Preliminary Injunction due 3/19/99; Plaintiff's reply brief due 4/2/99. The parties will present a Tutorial to the Court on 4/27/99 at 2:30 p.m. Each side shall have one hour to present their respective tutorials. The hearing on plaintiff's Motion for Preliminary Injunction will be on 4/30/99 from 1:00 to 4:30 p.m. This time shall be split equally between plaintiff and defendants. (Date Entered: 3/16/99) (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 03/16/99]

03/17/1999 101 PROOF OF SERVICE by Plaintiff Affymetrix Inc. of subpoena of Tidhar Dari Shalon. [3:98-cv-04508] (lcc) [Entry date 03/18/99]

03/18/1999 102 NOTICE by Plaintiff Affymetrix Inc. of Entry of order [100-2]. [3:98-cv-04508] (lcc) [Entry date 03/19/99]

03/19/1999	104	APPENDIX "FILED UNDER SEAL" to opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	105	DECLARATION "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	106	DECLARATION "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	107	DECLARATION "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	108	DECLARATION "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	109	DECLARATION (by fax) "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	110	DECLARATION "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	111	DECLARATION (by fax) "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	112	DECLARATION (by fax) "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	113	DECLARATION (by fax) "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	114	DECLARATION (by fax) "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	115	DECLARATION (by fax) "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	116	DECLARATION "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	117	DECLARATION (by fax) "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	118	DECLARATION (by fax) "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	119	DECLARATION "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	120	DECLARATION (by fax) "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	121	DECLARATION "FILED UNDER SEAL" in support of opposition [103-1] [3:98-cv-04508] (scu) [Entry date 03/23/99]
03/19/1999	122	CERTIFICATE OF SERVICE by defendants of opposition [103-1] and appendix [104-1] [3:98-cv-04508] (lcc) [Entry date 03/23/99]
03/19/1999	103	OPPOSITION "FILED UNDER SEAL" to motion for preliminary injunction [1-1] [3:98-cv-04508] (scu) [Entry date 03/29/99]
03/22/1999	123	AMENDED CERTIFICATE OF SERVICE by defendants of opposition [103-1], appendix [104-1], declarations [105-1], [106-1], [107-1], [108-1], [109-1], [110-1], [111-1], [112-1], [113-1], [114-1], [115-1], [116-1], [117-1], [118-1], [119-1], [120-1], [121-1] and certificate of service [122-1] [3:98-cv-04508] (lcc) [Entry date 03/23/99]
03/23/1999	124	DECLARATION OF SERVICE by Plaintiff Affymetrix Inc. of notice [102-1] [3:98-cv-04508] (lcc) [Entry date 03/23/99]
03/25/1999	125	ORDER by Judge Fern M. Smith: The Court hereby APPOINTS The Honorable Eugene F. Lynch as Special Master in this case for purposes of all discovery matters. Unless and until further order of this Court, all discovery matters in this case shall be submitted to and resolved by the Special Master. The compensation to be allowed the Special Master shall be shared equally as between the plaintiff, on the one hand, and the defendants, on the other, unless otherwise ordered by the Special Master. (Date Entered: 3/26/99) (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 03/26/99]
03/25/1999	--	RECEIVED Stipulated Motion and Proposed Order (Plaintiff Affymetrix Inc.) for leave for plaintiff to file reply brief exceeding the page limits of Civil L.R. 7-3(a) [3:98-cv-04508] (lcc) [Entry date 03/26/99]
03/25/1999	126	PROOF OF SERVICE by Plaintiff Affymetrix Inc. of order received (stipulated motion) [0-0] [3:98-cv-04508] (lcc) [Entry date 03/26/99]
03/26/1999	127	REDACTED OPPOSITION by defendants to motion for preliminary injunction [1-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]
03/26/1999	128	REDACTED DECLARATION by Teresa M. Corbin on behalf of defendants in support of opposition [127-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]
03/26/1999	129	REDACTED DECLARATION by Dari Shalon on behalf of defendants in opposition to motion for preliminary

injunction [1-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 130 REDACTED DECLARATION by Michael Pirrung on behalf of defendants in support of opposition [127-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 131 REDACTED DECLARATION by Richard T. Rapp on behalf of defendants in support of opposition [127-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 132 REDACTED DECLARATION by Charles Cantor on behalf of defendants in opposition motion for preliminary injunction [1-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 133 REDACTED DECLARATION by Larry J. Kricka on behalf of defendants in opposition to motion for preliminary injunction [1-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 134 REDACTED DECLARATION by Roy Whitfield on behalf of defendants in support of opposition [127-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 135 REDACTED DECLARATION by Ben Cocks on behalf of defendants in support of opposition [127-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 136 REDACTED DECLARATION by Lisa Peterson on behalf of defendants in support of opposition [127-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 137 REDACTED DECLARATION by Patrick Brown on behalf of defendants in support of opposition [127-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 138 REDACTED DECLARATION by Scott Braxton on behalf of defendants in support of opposition [127-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 139 REDACTED DECLARATION by Howard Goldstein on behalf of defendants in support of opposition [127-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 140 REDACTED DECLARATION by Jeff Seilhamer on behalf of defendants in support of opposition [127-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 141 REDACTED DECLARATION by Deval Lashkari on behalf of defendants in support of opposition [127-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 142 REDACTED DECLARATION by Denise Gilbert on behalf of defendants in support of opposition [127-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 143 REDACTED DECLARATION by Steven B. Kelber on behalf of defendants in support of opposition [127-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 144 CERTIFICATE OF SERVICE by defendants of redacted opposition [127-1] and redacted declarations [128-1], [129-1], [130-1], [131-1], [132-1], [133-1], [134-1], [135-1], [136-1], [137-1], [138-1], [139-1], [140-1], [141-1], [142-1], [143-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 145 JOINT CASE MANAGEMENT STATEMENT and PROPOSED ORDER filed. [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 146 MOTION before Judge Fern M. Smith by defendants for partial summary judgment that claims 4 and 5 of the '992 patent are invalid for failure to satisfy the written description requirement of 35 U.S.C. Section 112 with Notice set for 4/30/99 at 1:30 p.m. [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 -- RECEIVED Proposed Order (defendants) re: motion for partial summary judgment that claims 4 and 5 of the '992 patent are invalid for failure to satisfy the written description requirement of 35 U.S.C. Section 112 [146-1] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 147 CERTIFICATE OF SERVICE by defendants of motion for partial summary judgment that claims 4 and 5 of the '992 patent are invalid for failure to satisfy the written description requirement of 35 U.S.C. Section 112 [146-1] and order received [0-0] [3:98-cv-04508] (lcc) [Entry date 03/29/99]

03/26/1999 148 AMENDED OPPOSITION "FILED UNDER SEAL" to motion for preliminary injunction [1-1] [3:98-cv-04508] (scu) [Entry date 03/29/99]

03/26/1999 149 AMENDED EXHIBITS C, I and BB "FILED UNDER SEAL" to declaration [121-1] [3:98-cv-04508] (scu) [Entry date 03/30/99] [Edit date 03/30/99]

03/26/1999 150 AMENDED EXHIBIT M "FILED UNDER SEAL" to declaration [113-1] [3:98-cv-04508] (scu) [Entry date 03/30/99]

03/26/1999 151 CERTIFICATE OF SERVICE by defendants of opposition [148-1] and amended exhibits [149-1], [150-1] [3:98-cv-04508] (lcc) [Entry date 03/30/99]

03/29/1999 -- RECEIVED Stipulation and Proposed Order (Plaintiff Affymetrix Inc.) to exceed the number of depositions permitted under FRCP 30(a) [3:98-cv-04508] (lcc) [Entry date 03/30/99]

03/29/1999 152 PROOF OF SERVICE by Plaintiff Affymetrix Inc. of order received (stipulation) [0-0] [3:98-cv-04508] (lcc) [Entry date 03/30/99]

03/29/1999 153 CLERK'S NOTICE: Case Management Conference CONTINUED to 8:30 4/8/99. Not less than ten (10) days before the Conference, counsel shall file, jointly if possible, a Case Management Conference Statement. [3:98-cv-04508] (lcc) [Entry date 03/30/99]

03/30/1999 154 NOTICE by Plaintiff Affymetrix Inc. of Entry of order [125-2]. [3:98-cv-04508] (lcc) [Entry date 03/31/99]

03/31/1999 155 STIPULATED MOTION before Judge Fern M. Smith by Plaintiff Affymetrix Inc. for leave to file reply brief

exceeding the page limits [3:98-cv-04508] (lcc) [Entry date 03/31/99]

03/31/1999 155 ORDER by Judge Fern M. Smith GRANTING stipulated motion for leave to file reply brief exceeding the page limits [155-1]. Plaintiff's reply brief to defendants' opposition not to exceed twenty (20) pages in length. (Date Entered: 3/31/99) (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 03/31/99]

03/31/1999 156 STIPULATION and ORDER by Judge Fern M. Smith: That Plaintiff Affymetrix, Inc. may take five (5) additional depositions and that Defendants Synteni, Inc. and Incyte Pharmaceuticals, Inc. may collectively take five (5) deposition in connection with Plaintiff's pending motion for preliminary injunction. (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 04/01/99]

04/01/1999 -- RECEIVED Stipulation and Proposed Order (Plaintiff Affymetrix Inc.) to extend filing date of Plaintiff Affymetrix, Inc's reply brief in support of motion for preliminary injunction [1-1] [3:98-cv-04508] (lcc) [Entry date 04/02/99]

04/02/1999 157 PROOF OF SERVICE by Plaintiff Affymetrix Inc. of joint statement case mangement [145-1] [3:98-cv-04508] (lcc) [Entry date 04/06/99]

04/02/1999 158 PROOF OF SERVICE by Plaintiff Affymetrix Inc. of stipulation order [156-1] [3:98-cv-04508] (lcc) [Entry date 04/06/99]

04/05/1999 159 STIPULATION and ORDER by Judge Fern M. Smith: EXTENDING Plaintiff Affymetrix, Inc.'s time to file its Reply Brief in support of the pending motion for preliminary injunction on 4/8/99. (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 04/06/99]

04/05/1999 160 MINUTES: (C/R - none) (Hearing Date: 4/5/99) Telephonic hearing held. Defendants object to letter faxed to the Court by plaintiff's counsel. Court told parties to take this matter to the Special Master and not to file anymore ex parte matters with the Court. If a matter is not before the Special Master, then parties are to file a formal motion with the Court. [3:98-cv-04508] (lcc) [Entry date 04/06/99]

04/05/1999 164 PROOF OF SERVICE by Plaintiff Affymetrix Inc. of stipulation order [159-2] [3:98-cv-04508] (lcc) [Entry date 04/08/99]

04/06/1999 161 LETTER dated 4/2/99 from David Alexander to Judge Fern M. Smith regarding telephonic conference to discuss defendants' unilateral decision to distribute Affymetrix' confidential information to several stock market analysts. [3:98-cv-04508] (lcc) [Entry date 04/08/99]

04/06/1999 162 LETTER dated 4/5/99 from David Alexander to Judge Fern M. Smith regarding further telephone hearing scheduled for 2:00 p.m. this afternoon and regarding terms of protective order. [3:98-cv-04508] (lcc) [Entry date 04/08/99]

04/06/1999 163 LETTER (by fax) dated 4/5/99 from Teresa M. Corbin to Judge Fern M. Smith regarding the filing and serving on plaintiff a public version of defendants' opposition to the preliminary injunction motion and supporting declarations. [3:98-cv-04508] (lcc) [Entry date 04/08/99]

04/07/1999 165 NOTICE by Plaintiff Affymetrix Inc. of Entry of order [62-1]. [3:98-cv-04508] (lcc) [Entry date 04/08/99]

04/07/1999 166 DECLARATION OF SERVICE by Plaintiff Affymetrix Inc. of notice [165-1] [3:98-cv-04508] (lcc) [Entry date 04/08/99]

04/08/1999 167 NOTICE by Plaintiff Affymetrix Inc. of Entry of stipulation order [159-2]. [3:98-cv-04508] (lcc) [Entry date 04/09/99]

04/08/1999 168 DECLARATION OF SERVICE by Plaintiff Affymetrix Inc. of notice of entry of order [167-1] [3:98-cv-04508] (lcc) [Entry date 04/09/99]

04/08/1999 169 MINUTES: (C/R - none) INITIAL CASE MANAGEMENT CONFERENCE HELD. Case continued to 11/18/99 at 2:30 p.m. for Claim Construction Hearing; Pre-trial Conference will be held 6/19/00 at 2:30 p.m.; Jury Trial set for 7/10/00 at 8:30 a.m. Set for 16 days. Court has consolidated cases 3:98-cv-4507 with member case 3:98-cv-4508. All future filings shall be in 3:98-cv-4507. Both cases are REFERRED to Judge Eugene Lynch for discovery. Plaintiffs must name any new parties by 6/1/99. Parties may stipulate to bifurcate the damages for trial. [3:98-cv-04508] (lcc) [Entry date 04/09/99]

04/08/1999 170 REPLY Brief "FILED UNDER SEAL" in support of motion for preliminary injunction [1-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]

04/08/1999 171 OBJECTIONS "FILED UNDER SEAL" to evidence submitted in opposition [127-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]

04/08/1999 -- RECEIVED Proposed Order (Plaintiff Affymetrix Inc.) re: motion for preliminary injunction [1-1] [3:98-cv-04508] (lcc) [Entry date 04/12/99]

04/08/1999 172 DECLARATION "FILED UNDER SEAL" in support of reply brief [170-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]

04/08/1999 173 DECLARATION "FILED UNDER SEAL" in support of reply brief [170-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]

04/08/1999 174 DECLARATION "FILED UNDER SEAL" in support of reply brief [170-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]

04/08/1999 175 DECLARATION "FILED UNDER SEAL" in support of reply brief [170-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]

04/08/1999 176 REPLY DECLARATION "FILED UNDER SEAL" in support of reply brief [170-1] [3:98-cv-04508] (scu) [Entry date 04/12/99] [Edit date 04/12/99]

04/08/1999	177	DECLARATION "FILED UNDER SEAL" in support of reply brief [170-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]
04/08/1999	178	REPLY DECLARATION "FILED UNDER SEAL" in support of reply brief [170-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]
04/08/1999	179	DECLARATION "FILED UNDER SEAL" in support of reply brief [170-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]
04/08/1999	180	DECLARATION (by fax) "FILED UNDER SEAL" in support of reply brief [170-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]
04/08/1999	181	DECLARATION (by fax) "FILED UNDER SEAL" in support of reply brief [170-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]
04/08/1999	182	DECLARATION "FILED UNDER SEAL" in support of reply brief [170-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]
04/08/1999	183	DECLARATION "FILED UNDER SEAL" in support of objections [171-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]
04/08/1999	184	DECLARATION (by fax) "FILED UNDER SEAL" in support of reply brief [170-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]
04/08/1999	185	DECLARATION OF SERVICE by Plaintiff Affymetrix Inc. of reply brief [170-1], objections [171-1], order received [0-0] and declarations [172-1], [173-1], [174-1], [175-1], [176-1], [177-1], [178-1], [179-1], [180-1], [181-1], [182-1], [183-1], [184-1] [3:98-cv-04508] (lcc) [Entry date 04/12/99]
04/09/1999	186	EXHIBITS AND NOTICE OF ERRATA "FILED UNDER SEAL" to declaration [175-1] [3:98-cv-04508] (scu) [Entry date 04/12/99]
04/09/1999	187	DECLARATION OF SERVICE by Plaintiff Affymetrix Inc. of exhibits and notice of errata [186-1] [3:98-cv-04508] (lcc) [Entry date 04/12/99]
04/15/1999	190	DISCOVERY ORDER by Special Master GRANTING plaintiff's motion to redeposed R. Whitfield; see Order for specific conditions (Date Entered: 4/21/99) (cc: all counsel) [3:98-cv-04508] (slh) [Entry date 04/21/99]
04/16/1999	188	CORRECTED DECLARATION "FILED UNDER SEAL" in support of reply brief [170-1] [3:98-cv-04508] (scu) [Entry date 04/16/99] [Edit date 04/16/99]
04/16/1999	189	DECLARATION OF SERVICE by Plaintiff of corrected declaration [188-1] [3:98-cv-04508] (slh) [Entry date 04/16/99]
04/22/1999	191	NON OPPOSITION IN PART AND OPPOSITION IN PART "FILED UNDER SEAL" by Plaintiff to motion for leave to file sur-reply. [3:98-cv-04508] (scu) [Entry date 04/26/99]
04/22/1999	192	SUPPLEMENT by Plaintiff to reply brief [170-1] [3:98-cv-04508] (slh) [Entry date 04/26/99]
04/22/1999	193	DECLARATION by Craig R. Kaufman on behalf of Plaintiff in support of supplement [192-1] [3:98-cv-04508] (slh) [Entry date 04/26/99]
04/22/1999	194	DECLARATION by Donald Banner on behalf of Plaintiff in support of supplement [192-1] [3:98-cv-04508] (slh) [Entry date 04/26/99]
04/22/1999	195	PROOF OF SERVICE by Plaintiff of opposition [191-1], supplement [192-1], declaration [193-1], declaration [194-1] [3:98-cv-04508] (slh) [Entry date 04/26/99]
05/04/1999	198	ORDER by Judge Fern M. Smith DENYING plaintiff's motion for preliminary injunction [1-1]. GRANTING IN PART and DENYING IN PART defendants' motion for leave to file surreply in opposition to motion for preliminary injunction. Defendants' motion for partial summary judgment that claims 4 and 5 of the '992 patent are invalid for failure to satisfy the written description requirement of 35 U.S.C. Section 112 [146-1] is DENIED without prejudice. It may be renewed by Synteni and Incyte, if necessary, when the interference proceeding is completed. In the interests of justice, no further dispositive motions may be filed by either party until the interference proceeding is complete. Discovery, however, will not be stayed during that time. (cc: all counsel) [3:98-cv-04508] (lcc) [Entry date 05/19/99]
05/18/1999	196	MINUTES: (C/R - none) (Hearing Date: 4/27/99) Tutorial hearing held. Case continued to 4/30/99 at 1:30 p.m. regarding defendants' motion for partial summary judgment that claims 4 and 5 of the '992 patent are invalid for failure to satisfy the written description requirement of 35 U.S.C. Section 112 [146-1]. [3:98-cv-04508] (lcc) [Entry date 05/19/99] [Edit date 05/19/99]
05/18/1999	197	MINUTES: (C/R - Leo Mankiewicz) (Hearing Date: 4/30/99) That plaintiff's motion for preliminary injunction [1-1] and defendants' motion for partial summary judgment that claims 4 and 5 of the '992 patent are invalid for failure to satisfy the written description requirement of 35 U.S.C. Section 112 [146-1] are SUBMITTED. [3:98-cv-04508] (lcc) [Entry date 05/19/99] [Edit date 07/27/99]
05/18/1999	199	REPORTER'S TRANSCRIPT; Date of proceedings: 4/30/99 (C/R: Leo T. Mankiewicz) minutes [197-1]. [3:98-cv-04508] (lcc) [Entry date 05/24/99]
07/06/1999	200	CLERK'S NOTICE of impending reassignment to a United States District Judge. All currently calendared dates before Judge Fern M. Smith are VACATED. [3:98-cv-04508] (lcc) [Entry date 07/12/99]
08/16/1999	--	RECEIVED Stipulation and Order submitted by defendant Synteni Inc., defendant Incyte Pharmaceutica re: extend filing date of the Joint Claim Construction Statement [3:98-cv-04508] (mmr) [Entry date 08/19/99]
08/19/1999	201	REASSIGNMENT ORDER by Assignment Committee: Case reassigned to Judge William H. Alsup (Date Entered:

8/19/99) (cc: all counsel) [3:98-cv-04508] (slh) [Entry date 08/19/99]
08/20/1999 202 ORDER by Judge William H. Alsup for counsel to submit a joint status report within 15 days. (Date Entered: 8/23/99) (cc: all counsel) [3:98-cv-04508] (slh) [Entry date 08/23/99]
08/20/1999 203 STIPULATION and ORDER by Judge William H. Alsup extending time to 8/27/99 for parties to file their Joint Claim Construction Statement (cc: all counsel) [3:98-cv-04508] (slh) [Entry date 08/23/99]
09/10/1999 204 DECLARATION OF SERVICE by Plaintiff of joint status report [3:98-cv-04508] (slh) [Entry date 09/16/99]
09/14/1999 205 DECLARATION OF SERVICE by Plaintiff of notice of entry of order. [3:98-cv-04508] (slh) [Entry date 09/16/99]

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EXHIBIT H

Docket as of December 30, 2001 2:27 am

Web PACER (v2.3)

U.S. District Court

U.S. District for the Northern District of California (San Jose)

CIVIL DOCKET FOR CASE #: 99-CV-21164

Affymetrix, Inc. v. Synteni, Inc., et al

Filed: 11/24/98
Assigned to: Judge Jeremy Fogel
Jury demand: Defendant
Demand: \$0,000
Nature of Suit: 830
Lead Docket: 99-CV-21163
Jurisdiction: Federal Question
Dkt # in USDC Delaware : is 98-6
Cause: 15:44 Trademark Infringement

AFFYMETRIX, INC., a California
corporation
Plaintiff

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David T. Alexander
[COR NTC]
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v.

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defendant

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William J. Marsden
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Steven B. Kelber
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v.

AFFYMETRIX, INC.
Counter-defendant

STANFORD UNIVERSITY
Movant

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James B. Art
[COR LD NTC]
Mark C. Fleming
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v.

EUGENE F. LYNCH, Judge
Special Master

Eugene F. Lynch, Judge
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v.

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READ AMBLER, Judge
Special Master